Table of Contents

Editors and Writers 3

Introduction 9

Part 1: Articles 11

Freedom of the Press: Then and Now 13

Exploring Security and Freedom and Whence the Two Shall Meet 17

The Good, the Bad, And the Ugly: What National Security Entails 23

The Value of Valued: A Small Word that Makes a Big Difference 29

Freedom of the Press: Keeping the Government in Check 37

Keeping the Press in Check 41

You Ought to Pay Attention: The Word that Changes it All 47

Who Guards the Guardians? 51

With Great Applications comes Great Responsibility: Writing Spider Cases 57

Feeling the Heat: Free Press in a National Security Vise 61

Part 2: Affirmative Cases 67

National Security: The Path to Peace and Prosperity 69

I Protect, Therefore I Am: National Security and National Existence 75

Protection of the Innocent 83

Co-Accountability 89

Purpose Above Privilege 95

To Print or not to Print 99

Protect the President 103

Part 3: Negative Cases 107

Caught Red Handed 109

F is for Freedom: 113

(Also “Fun” but that is beside the point!) 113

Negative Objective 119

The Prevention of Tyranny 123

Freedom and Accountability: A Viable Solution for a Pressing Issue 127

Part 1: Articles

Freedom of the Press: Then and Now

By Melissa Lueken

Exploring Security and Freedom and Whence the Two shall Meet

By Isaac Sommers

The Good, the Bad, and the Ugly: *What the Resolution Entails*

By Thomas Gray

The Value of Valued: *A Small Word that makes a big Difference*

By Caleb DeLon

Freedom of the Press: *Keeping the Government in Check*

By Michael Patton

Keeping the Press in Check

By Drew Hepler

You Ought to Pay Attention: *The Word that Changes it All*

By Abby Davis

Who Guards the Guardians?

By Ciera Horton

With Great Applications comes Great Responsibility: *Writing Spider Cases*

By Elizabeth Jacobs

Feeling the Heat: *Free Press in a National Security Vise*

By Jesse Byrnes

Freedom of the Press: Then and Now

By Melissa Lueken

As a child, I was an avid viewer of PBS’s historical fiction television series, *Liberty’s Kids*. It was centered on Benjamin Franklin’s printing press. I remember watching the show’s portrayal of the process of receiving news, painstakingly arranging text and distributing the paper with great interest. This animated depiction of the beginnings of 18th century American press stands in stark contrast with the world of the 21st century. Today, breaking news is posted, tweeted, “shared”, “liked”, and commented on across the world within seconds. Press is an ever-changing and quickly evolving medium. In order to master this resolution, you’ll want to understand where we’ve come from and where we are now. In this article, I’m going to give you a head start toward mastery by covering a brief history of free press in the United States.

The Birth of American Press

Newspapers had a slow start in the British North American colonies. Britain’s strangling regulations on the American settlements extended to the press. In December, 1686 King James II wrote to the incoming Governor, Edmund Andros, “And forasmuch as great inconvenience may arise by the liberty of printing within our said territory under your government you are to provide by all necessary orders that no person keep any printing-press for printing, nor that any book, pamphlet or other matters whatsoever be printed without your especial leave and license first obtained.”[[1]](#footnote-1) Under the restrictive licensing requirements of the government, press did not flourish. In general, the printing presses that did exist attempted to “lay low”, neglecting controversial issues in order to avoid discipline.

With the revolution and establishment of the United States government, the laws commanding the press changed drastically. After experiencing British oppression, the importance of free press to the founding fathers was evident when James Madison penned the words, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press…”[[2]](#footnote-2) What affect this 1st Amendment clause would have on future policy was undefined, but the importance of free press to the founding fathers is clearly demonstrated in the *Appeal to the Inhabitants of Quebec*, written by the First Continental Congress in 1774, “The last right we shall mention regards the freedom of the press. The importance of this consists, besides the advancement of truth, science, morality, and arts in general, in its diffusion of liberal sentiments on the administration of Government, its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated into more honorable and just modes of conducting affairs.”[[3]](#footnote-3) This statement clearly communicates why free press is important: Communicating truth and keeping the government in check.

After this point in history there were not many other developments or controversies in the United States until the 20th century. UCLA law professor, Eugene Volokh, said in his essay *Freedom of Speech and Free Press,* “There were very few reported Founding-era court cases interpreting the federal and state Freedom of Speech and of the Press Clause, and very few Founding-era political controversies that would have excited some detailed discussion of what the clauses meant. The governments of the time were quite small, and the statute books thin.”[[4]](#footnote-4)

Press restriction in War time

While there was little controversy surrounding free press in the early years of our nation, the media did not avoid conflict for very long. In the 1931 Near vs. Minnesota case the Supreme Court ruled that the government had authority to exercise “prior restraint” in situations where publicizing intelligence would pose a national security risk. Censorship was considered legal when it prevented a national security breach.[[5]](#footnote-5) Management of sensitive information during war times proved to be a challenge. The United States policies for handling press releases containing national security information has changed from each major war we have participated in from 1917 through today.

WWI and WWII press censorship was largely characterized by controlling papers that were or were suspected of being pro-German or pro-communism. The United States wanted to protect the national interests internally as well as externally. During WWI restriction of supposed communist sympathy was exceedingly worse than in WWII. In WWII, President Roosevelt wanted to avoid using his authority to censor the press. However, according to Historian Robert J. Hanyok in his review of *Secrets of Victory: The Office of Censorship and The American Press and Radio in World War II*, “Believing that it was critical for Americans to receive news about the war, he [President Roosevelt] set two conditions for the media: their stories must be accurate and they could not help the enemy.”[[6]](#footnote-6) Executive editor of the Associated Press, Byron Price was put in charge of the media relations program. In this position, Price identified sources “guilty” of over stepping their bounds and reported them to any government agents involved and the Department of Justice which had the authority to prosecute under the 1918 Espionage Act.

The Vietnam War also posed many situations where the safety of U.S. soldiers and the freedom of the press apparently conflicted. President John F. Kennedy promised the government would not censor the press while U.S. involvement in Vietnam increased, but he did warn the press that, “this nation’s foes have openly boasted of acquiring through our newspapers information they would otherwise hire agents to acquire.” Though Kennedy promised the government would not interfere with the press, each of the presidents who served during the war (Kennedy, Johnson, and Nixon) would break that promise. [[7]](#footnote-7) While there were many information leaks that posed threats to our national security during the war, arguably the most controversial was that of the Pentagon Papers. The Pentagon Papers were written by Secretary of Defense, Robert McNamara. The papers contained a study explaining to what he thought would be “future” generations how America had gotten involved in the Vietnam War and the mistakes that had been made. Military analyst, Daniel Ellsberg, who opposed the war found the study and gave 43 volumes to New York Times reporter, Neil Sheehan. The biggest impact of the Pentagon Papers release was exposing the government’s deceit to the American public. The government sought an injunction against the New York Times for releasing classified documents. After a U.S. District court judge denied the injunction, the Attorney General’s office appealed to the Supreme Court. The Supreme Court ruled in a 6-3 decision that the newspaper was not guilty.[[8]](#footnote-8) Whether or not the release of the Papers had a negative effect on national security has been debated. Lawyer, Professor, and Jurist, Alan Dershowitz stated, “In the Pentagon Papers case, the government asserted in the Supreme Court that the publication of the material was a threat to national security. It turned out it was not a threat to U.S. security. But even if it had been, that doesn't mean that it couldn't be published.” [[9]](#footnote-9)

Challenges of Modern Press

So, where are we today? With high speed internet and social media, news is being disseminated quicker than ever. Sensitive information can be released across the world, including to enemies, within seconds. The clash between the use of modern technological advances in press and national security interests has been clearly illustrated by the organization WikiLeaks. WikiLeaks has spread sensitive information about the war with Afghanistan in a publication known as the Afghan War Diary. The document was released on July 25, 2010. The WikiLeaks summary described the documents written from 2004-2010 as, “written by soldiers and intelligence officers, and mainly describing lethal military actions involving the United States military, also include intelligence information, reports of meetings with political figures, and related details.”[[10]](#footnote-10) Charges have been made by the U.S. government and others against the director, Julian Assange. Whether or not these leaks have threatened national security is not universally agreed upon.  Secretary of State Hillary Clinton has commented that some reports "put people's lives in danger" and "threatens national security." Former United States Secretary of Defense Robert Gates commented, "Is this embarrassing? Yes. Is it awkward? Yes. Consequences for U.S. foreign policy? I think fairly modest.” [[11]](#footnote-11)

Resolutional Analysis

While this overview certainly isn’t exhaustive, it has covered some of the major events in the historical conflict between free press and national security. So, how can you bring this information into a round effectively? As per usual, the extent that these various examples apply is dependent on your dictionary and operational definition of the term “national security”. If you essentially define national security as “the protection of national interests” all of these examples apply because nearly everything from critical information falling into the hands of an enemy to lessened credibility of a president could fall under “national interests”. As the affirmative, it will likely be more advantageous for you to have a more narrow definition so you can avoid applications that don’t *directly* harm citizens, such as a politician’s ruined reputation. Interestingly, in my research I found that there often isn’t a “clear cut” decision on whether or not any particular press release has breached national security or not. This should make for a very fun season because there is ground for both sides in most applications.

Further Reading

The Heritage Guide to the Constitution: Freedom of Speech and of Press by Eugene Volokh

**The First Hundred Years of Printing in British North America: Printers and Collectors** by William S. Reese

Secrets of Victory: The Office of Censorship and the American Press and Radio in World War II*by Michael S. Sweeney*

Freedom of the Press and National Security in Four Wars: World War I, World War II, The Vietnam War, and The War on Terrorism by Daniel Joseph Smyth

Necessary Secrets: National Security, the Media, and the Rule of Law by Gabriel Schoenfeld

Who Watches the Watchmen? The Conflict Between National Security and Freedom of the Press by Gary Ross

Exploring Security and Freedom and Whence the Two Shall Meet

By Isaac Sommers

At first glance, the resolution, “national security ought to be valued above freedom of the press,” looks quite narrow–and, in terms of examples and philosophy, it is a rather limited modern question. Fortunately, this makes it relatively simple to break down the topic into a few basic interpretations. Thus, there are a number of foundational ideas and principles that must be understood before debating this year’s debate topic. In this article, we’ll cover the variety in definitions, the conflict analysis, and consequently, the strongest approaches to arguing the resolution.

Definitions

There are more ways to define “national security” and “freedom of the press” than one initially might think. Each term could be simply defined as the following:

National Security - “the state of a nation being free from immediate danger.”

Freedom of the press - “the right of the media to publish information without the government suppressing that information.”

While these provide good foundational starting points as “common man” definitions (and feel free to use them as such), there are other definitions that provide greatly nuanced and specific interpretations. A few of those are listed below:

National Security - “the protection or the safety of a country's secrets and its citizens.” [[12]](#footnote-12)

National Security - “A collective term encompassing both national defense and foreign relations of the United States. Specifically, the condition provided by: a. a military or defense advantage over any foreign nation or group of nations; b. a favorable foreign relations position; or c. a defense posture capable of successfully resisting hostile or destructive action from within or without, overt or covert.”[[13]](#footnote-13)

National Security - “freedom from foreign dictation.”[[14]](#footnote-14)

The first definition includes the country’s “secrets” and “citizens” as equally necessary components to national security, and would thus set up an obvious and distinct clash between national security and freedom of the press.

The second definition is rather lengthy, but the first sentence tells us everything we need to know: it covers both the protection of the nation’s citizens as well as maintaining good foreign relations, which ties right into some of the more recent happenings with the NSA leaks. Many people, however, may find it difficult to advocate foreign relations over extensions of basic human rights like freedom of the press.

The last definition is very short and to the point, and limits national security threats to national sovereignty violations. Of course, one could arguably interpret “dictation” in such a way that it would include terrorist attacks and the like, but the idea comes more from a time (specifically, 1960) when non-state combatants were not as prevalent as they are today.

“Freedom of the press” is generally defined more uniformly, but keep in mind that the phrase “freedom of the press” is an American term, so you would be wise to look into other terms for the same concept (i.e., “liberty of the press,” which is the British term for the same idea). Here are three definitions:

Freedom of the press - “The right, guaranteed by the First Amendment to the U.S. Constitution, to gather, publish, and distribute information and ideas without government restriction; this right encompasses freedom from prior restraints on publication and freedom from censorship.”[[15]](#footnote-15)

Freedom of the press - “the right of publishing books, pamphlets, newspapers, or periodicals without restraint or censorship subject only to the existing laws against libel, sedition, and indecency.”[[16]](#footnote-16)

Freedom of the press - “the right to publish news and opinions in the press without the government removing any of the information.”[[17]](#footnote-17)

The first definition points out the obviously American nature of the resolution, which is fine if you want to try to limit down the scope of the topic to solely our country. However since, limiting the resolution is generally frowned upon in LD–not to mention that the principle of freedom of the press is not a strictly American concept–you would be hard pressed using as narrow a definition as this to justify only looking at American examples. Should you utilize this definition, it would be a prudent to clarify that the phrase, while American in origin, does not limit the application of the concept.

The second definition is a bit shorter and lacks the regional links of the first. It does, however, have two main problems: a) the reference to “books, pamphlets, newspapers, or periodicals” indicates an older, pre-internet definition. This isn’t necessarily bad, but it does somewhat constrain the scope of what you’re discussing; b) the clause “subject only to the existing laws against libel, sedition, and indecency” somewhat nullifies the issue of conflict in the resolution, especially with regards to “sedition”. If the government interprets the sharing of the NSA secrets as falling outside the limits of what is allowed under “existing laws”, then you have no real conflict between freedom of the press and national security, because then freedom of the press means “freedom of publish information within the bounds of national security.”

The last definition is the shortest and clearest of the three: it highlights the specificity of the phrase (“freedom of the press” does not mean “liberty for all citizens”) as well as the negative (as opposed to positive) nature of the right–that is, freedom of the press doesn’t require that government give the press information (that would be a positive right), but rather that the government doesn’t restrict the right of the press to publish what information they do have (a negative right) (see the Stanford Encyclopedia of Philosophy on Rights, Section 2.1.8, for more details on the difference between positive and negative rights). [[18]](#footnote-18)

Finally, we ought to look at one of the most important words in the resolution: “value.”

Value - “consider (someone or something) to be important or beneficial”[[19]](#footnote-19) - this comes from the Latin “valere” and the French “valoir" which means “be worth.”

To value something seems like a straightforward concept. However, what it means to value something in actuality is more complex than the definition. Does valuing something mean you have to always hold what you value highest above everything else in the philosophical sense (i.e., “I believe life is highest”), or does it mean you have to act in such a way that you protect whatever it is you value more than another value in question? While there is potential for both arguments to be made, the more realistic approach would be to interpret “valuing” either national security or freedom of the press above the other to mean that the government would allow one to take precedence in its actions. For Aff, this would mean being willing to limit the press in times of national danger, and on Neg, this would mean the government not limiting the press’s freedom at all.  Understanding this interpretation will be crucial to arguing this year’s resolution.

With the definitional groundwork laid out, let’s examine the implied requirements of the resolution.

Resolutional Interpretation: Conflict

The issue of “conflict” is another cardinal aspect of this resolution. Some past resolutions have added a “when in conflict” clause to the resolution–not so with this one. While some may try to argue on Neg that there is “no conflict,” it is rather obvious that conflict is (or at least, should be) assumed, lest rounds devolve into an abstract and philosophical, yet shallow discussion, over safety and freedom. The best and most realistic way that we are able to understand which ought to be more highly valued is by determining which is more important when the two conflict, or when we must choose between the two.” Conflict is recommended for use in all cases because of the simplicity and strength of arguments it will provide.  Remember, of course, that conflict does not just mean “who has the most examples where history ruled in favor of one side or the other.” Conflict is a principle that requires logical and philosophical reasoning to prove an argument one way or another. Declaring that, “the Supreme Court ruled in favor of freedom of the press over national security almost every single time” is not proof of freedom of the press’s superiority. While that example may represent solid support, you need to examine why the Supreme Court ruled that way, and argue the reasoning behind it. Something such as “valuing national security highest results in government having absolute power, which is the road to tyranny; freedom of the press, however, limits government by keeping it accountable, which is the only real way to ensure human rights,” would be a valid way to argue the resolution. Don’t get caught up in examples: hold both yourself and your opponents to a higher standard by requiring an explanation of the reasoning behind the examples used.

An alternative perspective on the resolution could be to contend that the two sides don’t conflict, but that one is inherently better than the other. This, however, lends itself to aloof metaphysical arguments which would require a lengthy series of semantic proofs, and is discouraged if you desire to be easily understood.  Basically, the round would involve looking at which side has more “advantages.” This is, however, not Team Policy debate–not to mention that talking about the pros and cons of national security and freedom of the press when they weren’t in conflict could be likened unto two ships on different planets passing in the night.

Resolutional Interpretation: Absolute or Situational?

Last, but certainly not least, we should consider the important question: “do we have to prove the resolution absolutely true?” This question commonly arises in discussions of Lincoln-Douglas debate, and the simplest answer in regards to this topic is: yes, but what that means depends on the context of your resolutional analysis. If, for example, you argue that life is the highest value, and national security achieves life best, you don’t have to argue that national security also achieves accountability best, because that is not the highest value. However, you do have to show that, in the context of protecting life, national security should always be valued above freedom of the press when the two conflict.

We must be careful to clarify what this does not mean. This does not mean that you have to prove that national security or freedom of the press works 100% of the time. That kind of burden is impossible for either side to prove. However, it is highly probable that debaters will use that strategy and assert, “the Aff/Neg didn’t prove that national security/freedom of the press achieves their value 100% of the time, therefore they should lose.” Your responses can be twofold:

1. Just because the result fails doesn’t mean the action wasn’t justified: it’s possible that, if someone is dying and needs CPR, that they could have a peanut allergy and actually be killed by the person performing CPR, or it’s possible that a person performing CPR could injure the victim while doing chest compressions. However, we don’t know that until after the fact, which is why we acknowledge that performing CPR is the right thing to do in a situation of life or death.

2. Neither side is perfect, so we have to see which side achieves it best. National security and freedom of the press can be thought of in much the same way: with national security, no government agency has all of the facts, but if they suspect a terrorist attack, they have to take action with what information they have. A newspaper may not realize the ramifications of publishing an article which details the proceeds of a secret government operation, but they act based on what they think is in the best interest of the readers at the time. In retrospect, things often could have been done with more efficacy, but we don’t and can’t make value decisions based solely on the results of past events. We have to look at the values themselves and see which are most important. Obviously, the motives of the government or the press would have to be taken into account to determine the morality of their conduct, but since the resolution doesn’t ask about morality, a better concept would be to assume good motives and look at the actions from that perspective (i.e., assume the government is trying to save lives when it stops terrorist attacks, and assume the press is trying to promote the truth for accountability purposes and then see which should be valued highest).

Ultimately, this means that when writing a case, or arguing a Red Book case, be sure that you are perfectly clear on what the principle or thesis of the case is, so that you will be ready to argue that principle across the board. After all, if you have exceptions to your case, then you won’t have very solid ground to stand upon.

Conclusion

Overall, the resolution presents us with a somewhat narrow topic, but if you understand the core premises behind the resolution itself, you will have a much easier time getting a head start on having effective and solid argumentation. Remember: keep your definitions clear and concise, with ample room for debate on both sides; recognize the importance of conflict, since that will help the judge weigh the arguments in the round; keep your case principle clear and logical so that you can argue it from an absolute stance without having to prove the resolution true in every way possible.

The Good, the Bad, And the Ugly:   
*What National Security Entails*

By Thomas Gray

A simple Google search for a definition of the term “national security” will reveal several different meanings. One website says it is “the requirement to maintain the survival of the nation-state through the use of economic, military and political power and the exercise of diplomacy.[[20]](#footnote-20)” Another says that national security is the “Condition of a nation's safety from threats, especially threats from external sources.[[21]](#footnote-21)” Still another says that national security includes “Measures adopted by the government of a nation in order to assure the safety of its citizens, guard against attack, and prevent disclosure of sensitive or classified information which might threaten or embarrass said nation.[[22]](#footnote-22)” And one final, rather radical source calls national security a “legal loophole for government-employed criminals.[[23]](#footnote-23)”

With all these varying perspectives on national security, it becomes our burden as debaters to understand what national security is. So who should we believe? I think we need to take all of the above perspectives into account if we are to truly understand national security.

Let’s start by examining what national security is and who it is for. National security incorporates a lot of ideas, partly because it is a broad concept, and partly because (as that last definition demonstrates) the term is abused to mean things that it shouldn’t. So in order to understand national security, we need to have an understanding of all the elements in national security: the good and the bad. If we incorporate all the elements in the above definitions, national security can be understood to include the protection of the welfare of the nation from threats and the measures put in place to do so. This encompasses both the purpose (which is good) and the effects (which can be good or bad) of national security.

Based on the above definitions, national security can be said to include national defense, military intelligence, cyber-security, border security, TSA, and basically anything that is concerned with the safety and stability of the nation. This primarily consists of defense against foreign threats, although there are some domestic ones. For example, many of the terrorist threats the United Kingdom faces today are from foreign terrorists, yet Michael Adebolajo, one of the men who hacked the British soldier Lee Rigby to death in the middle of a London street, was born in the U.K. According to the Huffington Post, “local media named the man who was definitely born in the country as 28-year-old Michael Adebolajo.[[24]](#footnote-24)”

National security basically has to do with the protection of a nation, and all the various forms that takes. Now your first thought may be, “Well with all of that on the side of national security, there’s no way an affirmative can lose!” Not necessarily. There are many harmful problems that national security causes, but we will get to that later.

Who is national security for? Obviously it is for the nation. Who is the nation? The nation is the group of people who share a government, while the government is the ruling entity over the nation. As the third definition states, national security includes measures that protect the “safety of its citizens.” The purpose of national security is to protect the citizens, and the measures that protection involves are often subject to debate. There are many good measures governments use to protect their citizens, but there are also many negative effects caused by the same measures.

Probably the most important aspect of national security is its focus on protecting the lives and liberties of the citizens. No matter what bad things happen when national security is valued, it would be impossible to deny the importance of this central feature. If the lives of the citizens cannot be protected, none of their other rights can be protected, which is why most agencies concerned with national security focus on threats to the citizens’ lives.

When we as Americans think about national security threats or threats to the lives of citizens, we ordinarily think of terrorist attacks. For our current circumstances this is appropriate; most of the threats we face that are publicly known are threats from radical groups who pursue their agendas by attempting to kill people and inspire fear. But we shouldn’t limit our entire understanding of national security to terrorism. Historically, there have been more significant threats. In the early 19th century, America’s greatest national security threats came from European nations: mainly England. In the early 20th century, the big threats were Germany and Japan. In the mid-20th century, it was the U.S.S.R. we were worried about.

The common feature to all these threats is the threat to life and liberty. The government is established to protect human rights, and there are various ways of doing this. If your house gets robbed and someone violates your right to property, obviously the government attempts to rectify this crime. But it doesn’t do so by sending in S.E.A.L. Team 6, because a house burglar is not a significant, foreseeable threat to the lives and liberties of America as a nation. Agencies concerned with national security focus on the major threats to life and liberty.

Good national security definitely protects these rights. Between 9/11 and the Boston Marathon Bombing, America knew twelve years without terrorist attacks. Our national security groups worked continuously to thwart these threats to our national security, and did so with great success. The U.S. government thwarted nearly sixty attacks between September 11, 2001 and April 15, 2013.[[25]](#footnote-25)

This is what happens when national security is valued: the lives of the citizens are protected. Obviously not every person’s life can be protected, but governments can protect the most of the people from the major threats, so that we can continue to live our lives as normal. National security ensures, at the very least, survival.

It would be easy enough to argue Life and Human Rights for national security on affirmative, but there are some other notable benefits, among them global security and economic progress.

Global security is a concept that comes with international peace. If nations aren’t busy fighting amongst themselves and have incentives to not start a war, then there is greater security. The impact for the affirmative is that national security has a huge role in this. When nations are more secure, they are less likely to behave aggressively towards other nations. For example, the security treaty between Japan and the U.S. has created a sense of stability in the region near Japan, because Japan has better security and is therefore less likely to stir up instability.[[26]](#footnote-26)

Further, nations with large levels of national security can become peacekeepers the help to promote global stability. U.S. military presence in other countries has had a calming effect in regions that might otherwise have hostilities.7

It’s no coincidence that five of the most secure nations in the world are the permanent members of the United Nations Security Council. The importance of national security in achieving global security and stability is undeniable.

Another benefit of good national security is economic growth. When nations and their governments are stable, the citizens can focus less on safety and politics and more on running a business and making money. War and conflict cost money, and nations that are embroiled in warfare tend to lose economic viability. For example, the war-torn country of Sudan has an economy that has more-or-less tanked,[[27]](#footnote-27) in large part due to the extensive history of violence, civil war and general instability in the country.

When people are focused on staying alive rather than making money, economic progress is impossible. Having good national security is essential to economic growth. For any debater who wishes to move past the very basic (though very legitimate) Life and Human Rights arguments, consider examining national security from an international or economic view.

Let’s think back to the beginning definitions for a moment. We defined national security as including the protection of the citizens and the *measures* put in place to do so. Valuing national security isn’t just life, stability and money; there are some negative consequences as well.

Possibly the most obvious problem with valuing national security is that the protection of the lives of the many will sometimes lead to a persecution of individual rights. The government (or other proponents of these national security measures) may say, “The violations of rights created by these measures are justified because it protects the nation as a whole.” But let’s not forget the importance of individual rights. If we start to value the national security to the point that we are giving up our rights, eventually we will have none left. As Ben Franklin said, “They who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.[[28]](#footnote-28)”

One example of this problem came in the form of TSA full body scanners. While airport security may have been able to apprehend someone due to these new scanners, the imaging technology that was being used grossly violated the individual’s right to privacy. While it’s true that fliers could opt out of these new scans, the alternative was an “enhanced pat-down” which was also highly invasive.

National security probably could be well served by the full body scanners, but the federal government eventually imposed restrictions on the new scanners, because they violated individual rights. Valuing national security too highly easily leads to violating the rights of the very people we wish to protect. There are always more ways the government could stop foreign threats, but are we willing to give up our liberty and property and privacy for this end? If we want our individual rights to be properly protected, national security must not receive too high a value.

Another problem with valuing national security is what I like to call “national preference.” Basically, whenever national security is valued, it means that the government is willing to value the rights of its own citizens over the welfare of other people in the world. That is, of course, part of having a military. We need to be able to defend ourselves. But sometimes governments get so wrapped up in protecting their own people that they forget to consider other people as well.

For example, the United States uses military drone strikes to eliminate terrorist threats. This has been shown to be highly effective. In 2009, the U.S. began strikes in Yemen to remove terrorists. While terrorists were killed, it has also been well documented that over *80 civilians* were also killed.[[29]](#footnote-29) Normal people who were just trying to live their lives got killed by a missile from the sky.

American interests were definitely protected by the elimination of terrorists, but our government forgot the importance of respecting innocent life, even if that life wasn’t a natural-born American citizen. Valuing national security often brings in a nationalistic preference that is extremely dangerous.

National security is like a fire: it can be helpful, but it is also dangerous. When debating this year, it will be important to both sides to draw the judge’s attention to the different aspects of national security. Affirmatives must be ready to emphasize the necessity and the benefits of national security. The negative needs to point out the dangers of valuing national security too highly, and propose the alternative of valuing the freedom of the press. If you want to win this year, learn as much as you can about national security and the policies that go with it. Casting your light on national security can determine how the judges will cast their ballots.

Further Reading

The Heritage Foundation: National Security and Defense <http://www.heritage.org/issues/national-security-and-defense>

Whatever Happened to Justice? By Richard J. Maybury (This has less to do with national security, but it’s an excellent book for any value debater.)

Decision Points, By George W. Bush

The Value of Valued:   
A Small Word that Makes a Big Difference

by Caleb DeLon

Does restricting the Freedom of the Press for the sake of National Security mean National Security is being valued more highly?

At first glance, the answer might seem obvious. Of course! If we have to choose between National Security and the Freedom of the Press, and we choose National Security, then obviously National Security is being valued more highly.

Not so fast. Let’s throw a monkey wrench into this seemingly simple question.

Does restricting the Freedom of the Press for the sake of National Security mean National Security is being valued more highly *if the end goal is to protect a society where a free press can exist*?

Already the answer doesn’t seem so obvious. In this case, we are only choosing National Security because we value the Freedom of the Press so highly—or, perhaps more precisely, because we value a society that provides us with the Freedom of the Press along with life, liberty, and a whole host of other positive values. If we devalue the Freedom of the Press because we value the Freedom of the Press, are we valuing it or not?

In these pages, I will explore these concepts further and discuss how you can use the different interpretations of the word “valued” to your advantage. This article has seven main sections, with transitions indicated by the large bold words in all caps. These sections are Definitions, Question, Answers, Application, Refutation, Problem, and Prescription.

First, let’s jump back to the basics. Every year, certain poor words in the resolution get taken for granted. “Valued” is one of those terms. I think this is unfortunate, especially this year—showing the word “valued” a little love can help you a lot. Let’s look briefly at a few **DEFINITIONS** of the term.

According to the Collins English Dictionary, “to value” is “to have a high regard for, esp in respect of worth, usefulness, merit, etc; esteem or prize 🡪 to value freedom”.[[30]](#footnote-30)

According to the Macmillan Dictionary, “to value” is “to consider someone or something to be important”.[[31]](#footnote-31)

According to Webster’s New World College Dictionary, “to value” is “to place a certain estimate of worth on in a scale of values: *to*value*health above wealth*”.[[32]](#footnote-32)

According to Webster’s 1828 Dictionary, “to value” is “to consider with respect to importance”.[[33]](#footnote-33)

If we semi-combine those definitions into one concise definition, “to value” is basically “to regard something as important, useful, or worthy”.

Now that we understand what it means to value something, the **QUESTION** we have to ask is this: How do we display what we value?

In other words, if we ought to value National Security above the Freedom of the Press, what actions would we take? And in the hypothetical situation above, which is being valued more highly?

I believe that this issue is absolutely crucial to debating well under this resolution. If the Affirmative and Negative debaters mean different things when they say “value”, then the round will be like the old debate analogy of “two ships passing in the night”. There will be little real clash and no solid refutation, only meaningless repetition.

So, how do we display our values? I believe there are three **ANSWERS** to this question. Two of the answers are direct opposites and the third is only tangentially related.

The first answer is “through our present actions”. That is, whatever we choose in the moment is what we value more. If we have time to grab a granola bar or a package of trail mix before we run out the door, and we choose the trail mix, then we have “esteemed or prized” it more highly than the granola bar.

The second answer is “through our ultimate goals”. Perhaps you’ve heard this analogy before—it’s rather common in debate. “Occasionally, my family and I will take a car trip to visit my grandmother. We use the means of the car to get to her house. Now, what do we really value? The car or my grandmother? Obviously, we value my grandmother more than the car. This demonstrates that we value the end goal above the means we use to get there.”

The third answer, which is somewhat the black sheep of the family, is “through recognizing inherent worth”. This third answer is a bit more complicated. It argues that we should value things not because they have use in the real world, but because of the value inherent within them. That is, certain things are valuable regardless of the consequences of valuing them. Notice that in all the definitions of “to value” above not one includes anything about action. If “to value” means, “to regard as worthy”, we should value what has inherent worth. For example, I believe that time is inherently valuable (intrinsic worth), completely apart from what you do with it (extrinsic worth). I also believe that money has no intrinsic worth—its worth comes from what it allows you to do (extrinsic worth). In this view of the resolution, some inherent quality within National Security or the Freedom of the Press causes one of them to be more valuable. For example, if the Freedom of the Press has intrinsic worth but National Security has only extrinsic worth, that could be made into a reason to value the Freedom of the Press more highly. Even if the real-world consequences weren’t ideal, the decision could still hypothetically be justified. The justification for inherent worth is not that one side works in the real world but that, in reality, one side is inherently more valuable. Our actions should then conform to that inherent worth.

Now let’s look at the **APPLICATION** of these three answers to the round.

The present actions approach is the simplest of the three. This is due to the fact that it only considers the decisions we make in the present, without discussing our motives or other similarly complicated matters. When using this approach, debaters can use real-world examples fairly easily. All they have to do is determine whether National Security or the Freedom of the Press was chosen and then look at the consequences. With that information, the debaters can argue over whether the consequences were positive or negative as well as how the example impacts the question of the resolution.

Debaters using this method (or any method, for that matter) do need to exercise proper caution to ensure that they are not attempting to prove the resolution using examples. By themselves, examples do not prove anything. It may (or may not) be true that valuing National Security higher would lead to tyranny without accountability, as illustrated by North Korea and China. However, assuming that National Security does lead to tyranny, that still is not a reason to negate the resolution. What you are missing is your value—that is, your standard for the resolution. If your standard (value) is Freedom, then whichever side of the resolution best leads to Freedom ought to be valued more highly. Now you can use the tyranny example: National Security leads to tyranny, which destroys freedom, and thus ought not to be more highly valued. So, make sure that all of your examples relate to one central standard—your value. With that caution in place, let’s move on to the second approach.

The ultimate goals approach is more complicated than the present actions approach, but not overly so. It requires a bit of long-term planning and consideration of goals as well as actions. One advantage to this approach is that it has the ability to completely absorb the opposing case, thus bringing the debate entirely onto your ground. For example, say the Affirmative debater uses the present actions approach. His value is the General Welfare, and he brings up several examples where restricting the Freedom of the Press in favor of National Security did uphold (or would have upheld) it. The Negative debater is using the ultimate goals approach. She can simply dismiss the entire Affirmative case in 30 seconds by saying, “Sure, in these specific situations the Freedom of the Press was restricted. But ultimately, the Freedom of the Press is an integral part of the General Welfare. The only reason these restrictions on the Freedom of the Press were allowed is because the government knew that they were an essential part of upholding the General Welfare, and thus of upholding the Freedom of the Press as a whole. National Security may have been chosen in the moment, but on the whole what was valued—and rightly ought to have been valued—was the Freedom of the Press.” This is a powerful strategy that debaters, especially experienced ones, should consider utilizing.

The inherent worth approach has even more potential to ignore the opposing case. A debater using the inherent worth approach could argue that the Freedom of the Press is more valuable because of something inherent within it—for example, because having information in intrinsically valuable. Thus, because National Security is only extrinsically good while the Freedom of the Press is intrinsically good as well as extrinsically good the Freedom of the Press should be considered more important.

If this allegation or a similar one can be proved, the debater using the inherent worth approach has rendered all opposing cases irrelevant. If we aren’t dealing with the results of our actions but the inherent worth of the concepts being considered, both present action and ultimate goal cases are of no consequence.

Finally, let’s look at some points of **REFUTATION** against each of these approaches.

I said above that the present actions approach is simplest because it doesn’t consider anything but our actual decisions. However, this is not necessarily a good thing. The present actions simplification may actually be an oversimplification, bordering on myopia. Can we really determine what we value based upon a single action with no broader context? Using the example of choosing a granola bar or trail mix, what if you only ate the trail mix because you wanted to save the granola bar (which you actually prefer) for later? Did you still value the trail mix more, or is the nature of your choice altered by your motives?

It seems reasonable to assume that our goals form an integral part of understanding our actions. For example, a person could avoid talking with another individual at a party for many different reasons. It could be that the other individual is a stalker. Perhaps the two people have had a disagreement. However, it may be that the two people are the best of friends, but have decided that they should include others instead of only talking between themselves. Or perhaps there are simply other people that they need to talk with more urgently. With all those different possible motives, can we really claim that we can determine what we value based upon our action alone? Doesn’t avoiding someone because they are a stalker imply different values from not talking to someone because you’ve already chatted on the phone with them for three hours today? All in all, the largest weakness of the present actions approach is its possible oversimplification of “to value” to refer only to the choices we make, without any broader context.

Moving on to the ultimate goals approach, we see that this method avoids the possible nearsightedness of the present actions approach. By taking into account our reasons for our actions as well as our actions themselves, this approach seems to enable a better understanding of our values.

But not so fast. There are significant issues with this approach as well. Going back to the analogy of using a car to travel to our grandmother’s house, we may be convinced at first. Clearly, we value the end goal more than the means. We value our grandmother more than we value our car. But let’s complicate the situation. Let’s say that the car gets a flat tire. We now have two options. The first is to stop the car, spend the night in a hotel, and wait until the flat tire gets fixed. The other is to keep driving on a flat tire in order to get to our grandmother’s house tonight. When faced with this decision in real life, everyone chooses to stop the car. Doesn’t that mean that, in the moment, preserving the car is indeed more valuable than getting to see our grandmother? If you choose to stop the car in order to prevent it from breaking down, even though it will take you longer to reach your destination, aren’t you valuing it more? The response comes, “You’re valuing the end goal still because you want to be able to get their eventually.” But is it really reasonable to say that you can value getting to the destination by choosing to not keep moving towards it? And if choosing to keep going will ultimately destroy any chance of reaching your destination, doesn’t that mean that the end goal is self-destroying? If we have to devalue the Freedom of the Press in order to value it, should it really be our highest value?

That’s a lot of questions. Thankfully, it’s only my job to ask them—you get to debate the answers all year!

Finally we look at the inherent worth approach. One critique here is that the inherent worth approach is too abstract and almost meaningless. Is it really feasible to discuss values only in terms of inherent worth? If all “value” means is “recognize inherent worth”, how do our values affect our lives? That’s not how we use the term “values” in the real world—we talk all the time about how what we value affects how we live. In the real world, does it make sense to say that we should make decisions that have bad consequences because some concept is inherently better? Shouldn’t our values lead to beneficial decisions? If the Freedom of the Press has more inherent worth but will destroy society if valued more highly, should we really value it more highly?

Moreover, our decisions do not always reflect our opinions of inherent worth. Let’s assume that the argument at hand alleges that because the Freedom of the Press has intrinsic worth, while National Security has only extrinsic worth, the Freedom of the Press should be more highly valued. I mentioned above that I believe time has intrinsic value while money does not. If my decisions always reflected my opinions on how valuable money and time are, I would always go out to eat, which costs money (extrinsic) but saves time (intrinsic). However, many times I do not go out to eat, but cook something at home instead. In those circumstances, I am choosing my money over my time. In that case, inherent worth doesn’t seem to be directly tied to our values or the choices we make.

Now we have reached the penultimate section: the **PROBLEM** that I am afraid will be pervasive in debate rounds this year. The problem is this: Debaters will interpret the term “valued” differently but not actually discuss their variant interpretations. Instead, they will implicitly claim that their interpretation is best yet never refute their opponent’s interpretation. The Affirmative debater will use the present actions approach, the Negative debater will use the ultimate goals approach, and neither of them will address the other debater’s approach. Hopefully they will give a reason why their interpretation is good—but good does not mean best. Saying, “That’s not what it means to value National Security!”, presenting an alternate interpretation, and never giving a reason to prefer that interpretation is not good refutation. At the end of the round, the judge will be left with two different interpretations of the word “valued”, each with a reason why it is acceptable but neither with a reason why it is preferable. That’s a problem. That’s a huge problem.

Here’s my **PRESCRIPTION** for the solution to this problem. Hopefully enough people will follow it to stop the problem before it begins. As the old saying goes, “An ounce of prevention is worth a pound of cure.”

My solution is rather simple: Make your interpretation of the word “valued” an actual argument and tag it. That’s it. That’s all you have to do.

Specifically, your interpretation of “valued” should be made into a resolutional analysis. Contentions aren’t suitable for this type of argument; they aren’t meant to be catch-alls that hold any type of argument a debater pleases. Moreover, this is a preliminary point that needs to be addressed immediately after your definitions and before your value. Because this argument concerns the interpretation of a term in the resolution, it inherently analyzes the resolution. Thus, it order to run the argument correctly it must be placed under a resolutional analysis. Let me show you what this looks like practically.

If you are using the present actions approach, you can use this resolutional analysis.

Resolutional Analysis: Actions Reveal Value

In order to figure out what we should value, we first need to establish what we actually value in the real world, as well as the consequences of those valuations. We can determine this very simply, using the principle that actions reveal value. That is, when faced with a choice, whatever we choose in the moment is what we value more. For example: If you have time to grab a granola bar or a package of trail mix before you run out the door, and you choose the trail mix, then you have valued it more highly than the granola bar. Actions reveal value.

If you’re using the ultimate goals approach, consider something similar to this resolutional analysis.

Resolutional Analysis: *Goals Reveal Value*

In order to figure out what we should value, we first need to establish what we actually value in the real world, as well as the consequences of those valuations. We can determine this very simply, using the principle that goals reveal value. That is, in order to know what we value, we must understand the reasons behind our actions. Our end goals, not the means we use to reach them, are what we value most. For example, working out is a means to the end goal of being fit. Working out is valuable, but that is only because it helps to reach the highest value of being fit.

If you want to use the inherent worth approach, try this resolutional analysis.

Resolutional Analysis: *Values Are Objective*

Values are objective—that is, certain things are inherently more valuable than other things. For example, Life is more valuable than Security. We should strive to value most highly what is most highly valuable. We shouldn’t change our values simply because the real-world consequences are not ideal. So, regardless of the consequences, you should vote for my side of the resolution if it is inherently more valuable than my opponent’s.

That isn’t so hard, is it? If your opponent is using a different approach to the term “valued” than you are, they have a place they can directly address your argument instead of squeezing their semi-rebuttal in under another point. Also, the judge’s flow will be neater with regards to this crucial term. But best of all, you get to take the high ground on this issue. If you are the Affirmative debater, you don’t have to wait until the First Affirmative Rebuttal to explain to the judge why the Negative debater’s ultimate goals approach is invalid. You can spike the entire Negative Constructive with your resolutional analysis. Then, in your rebuttal, you can simply cross-apply your resolutional analysis to the Negative debater’s entire case and move on to your arguments. This discredits your opponent’s entire position and simultaneously saves you time—you don’t have to introduce a new rebuttal because you provided it in your first speech. If you are the Negative debater, then you have a huge advantage if the Affirmative debater does not present a resolutional analysis of this type. You can just do to the Affirmative debater what he should have done to you. Even if the Affirmative debater does present a resolutional analysis, you can give your counter-analysis in support of your position. Either way, you’re best off presenting your own interpretation of “valued” clearly and in a manner that is easy to flow.

In summary, “valued” is an underappreciated term that will have a gargantuan impact this year. What it means to value something and how we display our values are fundamental issues in this resolution. The three main approaches to this issue are that we value things through our present actions, through our ultimate goals, and through recognizing inherent worth. These approaches vary in simplicity, but used wisely any is potentially valid. Moreover, strategic utilization of these approaches provides savvy debaters with a means to transport the entire debate onto their turf and render the opponent’s case irrelevant. All three approaches have their issues, and the intricacies of each will be hammered out throughout the season. I fear that a common problem this year will be debaters using different interpretations of “valued” yet never making a specific argument or refutation in defense of their interpretation. This problem can be preempted by using an appropriate resolutional analysis, thus providing a justification for your preferred interpretation.

In closing, I strongly believe that a resolutional analysis supporting your chosen interpretation of “valued” is a non-negotiable and indispensible element of any solid case. For 30 seconds of speaking time, the benefits are almost incalculable: greater clarity overall, increased organization, ease of flowing for the judge, and most notably the potential to preempt your opponent’s entire case with one simple argument. Under this resolution, “Valued” is absolutely invaluable.

Freedom of the Press:   
Keeping the Government in Check

By Michael Patton

As the Scots stood on the battlefield, in defiance of English tyranny, they became intimidated by the ominous display of the British military. The Scotsmen began to doubt their ability to defeat their enemy. Just as they were hedging their position, William Wallace saw the defeat in their eyes. He said, “I see a whole army of my countrymen. Here, in defiance of tyranny. You’ve come to fight as free men, and free men you are. What will you do without freedom? Will you fight?”

A man in the crowd remarked, “No! We will run and we’ll live.”

Wallace responded, “Aye... Fight and you may die. Run and you’ll live, at least a while. Dying on your beds, many years from now, would you be willing to trade all the days from this day to that, for one chance, just one chance, to come back here and tell our enemies that they may take our lives but they’ll never take our freedom?”[[34]](#footnote-34)

This quote, from the movie *Braveheart*, strikes a chord in the hearts of those who value self-government. Humans long for the freedom to choose life, liberty, and the pursuit of happiness. The founding fathers defined the need for this freedom through the *Declaration of Independence*. This privilege was purchased with the costs of the Revolutionary War. After paying the price for liberty, Americans recognized the need for a law that would prevent tyranny from occurring in the United States. That’s why the First Amendment made to the Constitution says, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press;...”[[35]](#footnote-35)

Through this article, we’ll explore why the first amendment was established. Then, we’ll ask questions. Does the press prevent tyranny? Will tyranny occur if the press is limited in order to pursue national security? Should the press be monitored and restrained in order to ensure national security? Does the press even care about preventing tyranny?

Why was Freedom of the Press Established?

Prior to the American Revolution, England was controlling and manipulating the citizens of the American colonies. *The Declaration of Independence* documents that the British government would intentionally call legislative bodies together in places where there were no public records. The British did this so that the colonists would abdicate their freedom and comply with English laws. In small, emerging towns, there was no voice to hold the English accountable for their actions by reporting what they did to the public.[[36]](#footnote-36)

After the war, the founding fathers knew that they desired liberty and democracy in America. Tyranny was not only unjust but it destroyed powerful empires. Because the founders knew that the government needed to be kept in check, they established the First Amendment in 1791.[[37]](#footnote-37)

An article from Lincoln University stated, “There is a direct link between freedom of speech and vibrant democracy. Free speech is an indispensable tool of self-governance in a democratic society....Rather than having the government establish and dictate the truth, freedom of speech enables the truth to emerge from diverse opinions.”[[38]](#footnote-38) As shown through this quote, freedom of the press allows the people to keep the government in check by speaking out for themselves. Through the First Amendment, the people are given an opportunity to help define government’s role.

Tyranny and the Press (Negative Arguments)

When debating the negative side, you have an advantage. The First Amendment largely supports your position and most Americans hate tyranny. In order to win, you’ll need to establish three things in the judge’s mind. The first is that tyranny is a great evil and must be prevented at all costs; the second is that tyranny will occur if the press is limited, and the third point is that the freedom of press can prevent tyranny.

1. Tyranny will occur if the Press is Limited.

Tyranny can occur if the press is limited. By limiting the press, the government loses its accountability partner. It becomes free to act as it pleases.

Near the turn of the 19th Century, the U.S. was on the brink of war with France. At the time, the Federalist party controlled congress. They believed that criticism from Democratic-Republican party was disloyal to the government. They feared that if war occurred, members of the Democratic-Republican party would fight for the French. In 1798, the United States government passed the Alien and Sedition acts. The laws said that no American could publish any information that was false or critical towards the government. These laws also permitted the government to deport aliens during wartime and made it difficult for foreigners to obtain citizenship and voting rights.

The Sedition Acts were established to ensure that the Federalist party would maintain control of the government. The fact that foreigners weren’t able to vote as easily ensured that candidates from the Federalist party would be elected (immigrants usually favored the Democratic-Republican party). In addition, any journalists that were critical of the Federalist party were prosecuted for their actions through the Sedition acts.[[39]](#footnote-39)

2. Freedom of the Press Prevents Tyranny

Freedom of the Press, empowers citizens to protect their liberty. If the government steps out of line, the press lets the public know and the government is held accountable.

In June of 1972, Bob Woodward, a reporter for the *Washington Post* uncovered the Watergate Scandal when an insider revealed that President Nixon was responsible for the burglary. In his book *Eyewitness to Power*, David Gergen suspected that the person may have reported the issue to the press instead of the CIA or FBI for fear of a federal cover-up and his personal safety.[[40]](#footnote-40) On June 18, 1972 there was an article on the front page of the *Washington Post* reporting the wrongdoing. Nixon and the Chief of Staff, H.R. Haldeman, met to strategize how to tell the FBI not to investigate the situation. However, because of the pressure from the press, the investigations continued and the President and his administration were brought to justice.[[41]](#footnote-41)

National Security and the Press (Affirmative Arguments)

The main problem with the negative side is that it assumes two thing: the first is that the press is interested in preventing tyranny and the second is that the press is responsible enough to regulate itself. Even though many important American documents seem to favor the negative side, it isn’t invincible.

1. The Press isn’t Interested in Preventing Tyranny

The press is established to do two things. The first is to provide people with news and the second is to make money so that owners and employees earn profit. Making money is the main focus of a company and many companies will do whatever it takes to make more. The press is no different. Instead of preventing tyranny, journalists are focused on getting a better story than their competitors so people will listen to what they have to say. How can one trust the media to prevent tyranny when they’re only concerned about their own gain?

Lyle Denniston, a former reporter for the *Baltimore Sun* and the *Boston Globe* said, “As a journalist, I have only one responsibility and that is to get a story and print it. It isn’t a question of justification in terms of the law; it’s a question of justifying it in terms of the commercial sale of information to interested customers. That’s my only business. The only thing I do in life is to sell information, hopefully for a profit.” [[42]](#footnote-42)

2. The Press Needs to be Held Accountable

One of the main problems with negative position is that it doesn’t have a mode of accountability for the press. If the government acts as an agent to provide checks and balances for the press’ authority, national security can be protected. If the press is left unchecked it can have too much influence in defining morality.

In 1969, a case officer for the CIA named Philip Agee, resigned after twelve years of work for the agency. He became disillusioned with what was going on in foreign nations through the CIA and felt that he needed to speak out. Between 1975 and 1979 Agee published three books that revealed the identities of over 4,000 CIA operatives.[[43]](#footnote-43) Agee also wrote and published magazines such as *Counterspy* and *Covert Action Bulletin*. Because of his books and magazines, the highest ranking CIA officer in Greece was assassinated in 1975. In 1979, a CIA official and his family endured a machine gun attack two days after Agee revealed the identities of 15 CIA employees. He was also linked to the death of two English agents in Poland. [[44]](#footnote-44)

Because Agee was allowed to portray his opinion without restraint, many people died.

Conclusion

Through this article, we’ve seen that the press can be useful in preventing tyranny but it can also easily overstep its bounds. The debate boils down to who the judge is willing to trust, the press to prevent tyranny or the government to provide security. On either side, you’ll need to prove that your position is more trustworthy than your opponent’s. If you are the affirmative, paint a picture that a press without boundaries causes great harm. If you are the negative, show that a government without accountability causes tyranny.

Keeping the Press in Check

By Drew Hepler

Picture this: you’re the editor-in-chief of the *New York Times* in 1971 and a military analyst from the Department of Defense has just given you thousands of classified papers on the Vietnam War. As you rifle through them you realize that the information contained in these documents, if published, could be very damaging to the United States government. At the same time, you feel that, in this extremely controversial war, the people of America deserve to know the truth. Do you publish the papers, or not?[[45]](#footnote-45)

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”*[[46]](#footnote-46)*

The United States Constitution guarantees freedom of speech to its citizens. However, nearly all citizens are aware that there are some limitations (try shouting “fire” in a movie theater, it won’t end well). The limits on freedom of speech seem relatively clear: you cannot threaten another person, you cannot incite a riot or a fight, and so on.[[47]](#footnote-47) One might think that the freedom of the press would be similarly clear-cut, since the two “freedoms” are so similar. But freedom of the press is not nearly as distinct. Take the above example. This was a real scenario in 1971 involving documents now called the Pentagon Papers. The papers seemed to be a threat to security; could the government have stopped the New York Times from publishing those papers? What precedent would that have set for governmental censorship? What could the government constitutionally do and not do to restrict the press? How could the government keep the press from publishing potentially damaging or security-threatening information while still respecting the freedom of the press? Could the press have been limited without direct censorship from the government?

What Can the Government Not Do?

The First Amendment guarantees the freedom of the press. In *practice,* what does this mean? The Supreme Court has decreed that the government cannot do the following without infringing upon the freedom of the press:

* Pass a law that requires newspapers to publish information against their will.
* Impose criminal penalties, or civil damages, on the publication of truthful information about a matter of public concern or even on the dissemination of false and damaging information about a public person except in rare instances.
* Impose taxes on the press that it does not levy on other businesses.
* Compel journalists to reveal, in most circumstances, the identities of their sources.
* Prohibit the press from attending judicial proceedings and thereafter informing the public about them.[[48]](#footnote-48)

As far as content goes, according to Supreme Court Justice Oliver Wendell Holmes, what matters with regard to journalistic content is “whether the words used…create a clear and present danger.”[[49]](#footnote-49) This applies to actions the government may plan (troop movements, for example) and also to so-called “fighting words” directed from one individual or group to another. So the government cannot restrict content in any way except where a clear and present danger is created by publication of the content.

One type of restriction the government may try to use is Prior Restraint, which is when the government restricts expression of certain information in advance (i.e. before publication). The Pentagon Papers, referenced above, were subject to Prior Restraint when the United States government tried to put a restraining order on the *New York Times*.[[50]](#footnote-50) However, the Supreme Court rejected this order. According to the Court, Prior Restraints:

“Are the most serious and the least tolerable infringement on First Amendment rights.... A prior restraint ... by definition, has an immediate and irreversible sanction. If it can be said that a threat of criminal or civil sanctions after publication “chills” speech, prior restraint “freezes” it at least for the time. The damage can be particularly great when the prior restraint falls upon the communication of news and commentary on current events.”[[51]](#footnote-51)

Thus it can be seen that the United States Constitution puts great limits on what the government can do to control the press. The government cannot force newspapers to publish certain information or restrict them from publishing information they have already obtained (except in very special circumstances for the latter). It cannot compel the press to reveal the identity of anonymous sources or punish the press if it received information illegally (as happened in the Pentagon Papers case). This implies that if the press wants to publish something, it can do it, regardless of any perceived or potential damage to security.

What Can the Government Do to Protect National Security?

We see that the U.S. government can rarely legally restrict the press. Without such restraint, our national security can be threatened. How can our government protect national security while ensuring constitutionally prescribed freedom of the press?

Trust is important when considering a nation’s security; the people should be able to trust their government. The press can help keep the government trustworthy by holding it accountable. But the press must be trustworthy as well. Legendary CBS journalist Edward R. Murrow once said: “To be persuasive we must be believable; to be believable we must be credible; to be credible we must be truthful.”[[52]](#footnote-52) Honesty and fairness are essential to any accountability relationship. In an ideal world, the government could trust the press not to publish information that would threaten security while the people could trust the press to keep the government accountable.

Sadly, that kind of fairness and dependability hardly exists in the real world. People have different ideas of what is fair and what threatens security. Therefore, there must be another option a government may pursue to protect vital information.

In the United States, the government may classify information in order to protect security. There are three levels of classification:

(1) "Top Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security.

(2) "Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security.

(3) "Confidential" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.”[[53]](#footnote-53)

Notice that in all those definitions the information to be classified must be critical to protecting national security. The United States government is not allowed, nor would it have reason, to restrict any information except that which pertains to national security. This is important because, as President Harry Truman said, “Secrecy and a free, democratic government don't mix.”[[54]](#footnote-54) Therefore, the information a democratic government withholds from its citizens should be limited. I think President Truman would agree that if national security is greatly damaged, the free democratic government may cease to exist.

You might wonder what constitutes “exceptionally grave damage to the national security”. According to the Federation of American Scientists:

“The discussion assumes that the three classification levels -- Confidential, Secret, and Top Secret -- differ from each other by about an order of magnitude (factor of 10). That is, disclosure of Secret information would cause about ten times as much damage as disclosure of Confidential information, and disclosure of Top Secret information would cause about ten times as much damage as disclosure of Secret information. This assumption appears to be a realistic approach because of the difficulties in determining information disclosure damages very accurately and the consequent necessity to have significant differences in the assigned Top Secret, Secret, or Confidential damage levels.”[[55]](#footnote-55)

So it is clear that for information to be classified it must present quite an extreme threat to national security.

There are, as with any system, problems with the classification structure specifically relating to the press. A primary problem is that people in the government can leak classified information. This was the case with such incidents as the Pentagon Papers, Wikileaks, and most recently, Edward Snowden. In these cases classified information, that which presented a grave threat to security, was leaked by someone in the government and published by the press. The government cannot make the press retract the information; its only course is to assume the damages and discipline its own employees. The sad truth is that national security cannot always be fully protected by classification of documents. As Ben Franklin said, “Three may keep a secret if two of them are dead.”[[56]](#footnote-56) Any time more than one person is informed, a leak may occur. Mercifully, the system usually works.

A related problem is that the press does not have legal access to classified information. While there is technically no governmental restriction put upon the press, it is effectively restricted by not being able to retrieve intelligence on certain subjects. While there is a method in place to declassify information, it necessitates delayed access to the material; when information is classified, the government department or agency assigning the classification is required to put an estimated duration of classification on the material. Sometimes this is difficult to accurately estimate, so the person can simply put: “Originating Agency’s Determination Required (OADR)”. This means that the agency that classified the information will determine when it can be declassified.[[57]](#footnote-57) Also important to note is that, “…*all* classified information must be periodically reviewed for possible declassification.”[[58]](#footnote-58) In sum, when national security is no longer at stake, the information is open to publication and the press can write about it all they want.

While there is no perfect way to balance national security and freedom of the press in our flawed world, the system the United States has in place amazingly works much of the time. Of note, as the debate year progresses cases such as Edward Snowden’s will most likely have an impact on the classification system, press access, and punishment for those who leak information.

Applying These Principles in a Debate Round

Affirmative:

On Affirmative you are, of course, arguing that National Security should be valued above Freedom of the Press. The underlying question of this article is: how do you keep a free press without sacrificing security? Many will probably find that a difficult question to answer in itself. The examples of the Pentagon Papers, Wikileaks, Edward Snowden and others will serve to illustrate how the press being allowed to publish all information it receives can be a significant threat to security.

Against these examples you may well get responses saying that we are not debating real world application, only which should be valued highest in theory. While that is correct, in theory the press and the government would have a perfect relationship so that damaging leaks would be highly limited and the press would not publish any information that threatens national security. In addition, some may argue that cases like Watergate show the necessity of having a free press, namely, holding the government accountable. While this may be accurate, holding the government accountable can also sometimes go too far.

Finally, remember you are debating about which should be *valued* highest. We are not saying that only one or the other can exist, rather, when both exist and conflict, which *one* should be chosen (that isn’t explicitly stated in the resolution, but it’s not a stretch to say that in your resolutional analysis). This doesn’t mean that when news outlets present a story that damages security the government can demand the y take it down. Instead, it means the news outlets should evaluate when to publish the information in the interest of protecting security. If everyone values national security highest, a free press and a secure nation can happily co-exist.

Lastly, use classification to your advantage. Explain that our government uses classification to protect security-related information, however, the system has strict safeguards in place to try and keep the government transparent and give access to the press on a wise timetable.

Negative:

On negative you will be arguing that freedom of the press should be valued above national security. You can use the ideas in this article in a few ways.

One key point to take away is that the government must be trustworthy for the people to feel truly secure. If the people don’t trust the government, how can they feel secure being protected by that same government? They can’t. First establish that the people must trust the government for national security to truly exist.

Once you’ve established that basic premise, show how a free press keeps the government accountable. If some entity keeps the government accountable for its actions, it will be much easier for the people to trust that the government is keeping the nation secure. You can use the Watergate and Pentagon Papers examples, especially Watergate, to show how the press has kept the government accountable in the past and forced it to be trustworthy or lose the support of the people. This means that freedom of the press must be valued highest because without it national security and an effective government cannot exist.

Similar to the affirmative arguments, remember that you’re not saying either we have security *or* a free press; you’re not. These negative ideas are saying that we should value freedom of the press *highest* because it offers the most gain for all parties, and helps protect security at the same time.

On the classification issue, you can argue that classification does limit the press because the guidelines can be vague and could mean that the government can keep something classified until it is no longer relevant—at which point press publication will not matter. In addition, restricting the information means the press cannot write about anything they choose and is, in effect, not free.

In conclusion, a free press does help keep a government accountable, but perhaps more important is the press checking itself to ensure that security is not infringed by what it publishes. By working together, the government and the press can maintain freedom for all, both in print and in national security. Sadly, this system doesn’t work properly in real life, so the government has devised a system of classification in order to protect the nation (among other reasons) and not infringe on the right of the press to publish anything they like. In the end, despite occasional breaches, it is possible to value both national security and freedom of the press, and thus, argue both sides of the resolution.

You Ought to Pay Attention:   
The Word that Changes it All

By Abby Davis

I’m an idealist. Really. I see the world in concepts that can all work together to make a perfect world. It drives my friends crazy when I won’t give up on an idea that I’ve conjured up, no matter how ludicrous it seems. To put it in personality type terms, I’m an ENFJ—one of the most idealistic types. Bottom line: I like to look at the world through idealistic glasses. So when I started looking at this resolution, the first thing that jumped out at me was, of course, the most idealistic concept in it—the word “ought.”

Since we are debaters and love our definitions, let’s kick this off by looking at what “ought” means. Several definitions include, “Used to indicate a desirable or expected state” (Google dictionary)[[59]](#footnote-59), “to indicate duty or obligation” (Dictionary.com)[[60]](#footnote-60), or “used to express obligation, advisability, natural expectation, or logical consequence” (Merriam-Webster)[[61]](#footnote-61). Boiling it all down, “ought” essentially means “how something should be.”

“Ought” is one of those words that can easily fall to the wayside. I say this because I know from experience. Time for a quick trip down memory lane! Two years ago, the resolution was “Resolved: in the pursuit of justice, due process ought to be valued above the discovery of fact.” Every debate round I was in and I saw focused on almost every element of the resolution—pursuing justice, due process, valuing, discovery of fact, etc. But every round left out the element of “ought.” Nobody really thought it was important. One day, however, an older, successful NFL (National Forensics League) debater came and talked to my club. When we told her the resolution, she immediately asked, “What do you do with the word ‘ought’?” We all sat back in our chairs and were blown away by this whole new world. “Ought” is a tiny word, but it changed everything.

This is a crucial concept in this year’s resolution because it helps lay down a precedent for what kind of debate round should happen. To explain this a bit more tangibly, let’s look at last year’s resolution. It said that governments have a moral obligation to assist other nations in need. There was no element of “they should” or “they shouldn’t”—it was simply, they have the moral obligation. It was a fact. The resolution wasn’t examining how an ideal world would work, it was examining how the world actually works. The element of “ought” in this year’s resolution is important, because it sets apart the round. It helps us understand that we’re looking at the ideal of how things should be rather than the facts of how the world works. The resolution doesn’t say, “National security is valued above freedom of the press,” it says, “National security *ought* to be valued above freedom of the press.”

So how does this apply in our debates this year? Let’s break this down and look at the affirmative and negative sides.

Affirmative

The beauty of this little word is that it gives you the loophole of concepts and idealism. This is helpful on both sides, but especially on the affirmative side. Negatives may try to say, “No, because look at how this worked in xyz instance!” You, as the affirmative, can simply bring it back to this word “ought.” Remind the judge that the resolution asks you to look at how these ought to be valued and not necessarily the real-world applications. We’re looking at what the ideal would be, not what may have happened in this less-than-ideal world. It sounds a bit far-fetched, but just remember that philosophy is the heart and soul of LD debate. Thus, it is completely acceptable to examine things from a concept-based viewpoint.

There are many ways that you can take this and apply it in your cases. Consider ideas such as the purpose of government, philosophies like the social contract, etc. And that just scratches the surface. Look into reasons why national security *ought* to be valued above freedom of the press.

Negative

“Ought” can be applied to the negative similarly to how the affirmative uses it. Only instead of using it to prove that National Security should be valued above freedom of the press, use it now to prove your side. You can use it to point out, still purely on a conceptual basis, why national security ought *not* be valued above freedom of the press.

For this, you might want to consider ideas like freedom of the press keeping the government accountable, the legitimacy of governments based on the freedoms they offer and so on.

Both sides should look into philosophers like John Locke and Jean-Jacques Rousseau who talk about the government and rights provided by the government.

Now, after all of that, I’m about to do what every good debater does: turn around and tell you the flip side of all this!

While it’s important to look at concepts and philosophy (and this resolution centers on that), it can’t be taken to an extreme. It is absolutely true that Lincoln-Douglas operates primarily on a conceptual level and is philosophy-based. Having said that, however, you can’t just only look at the concepts without factoring in the real-world application of those concepts. For example, take a look at Communism. Communism works great in theory! Everyone’s equal, everyone shares property and wealth so that nobody is better than the other—who wouldn’t want a world like that? The problem with Communism is that it just doesn’t work in practical application. It would be ridiculous for someone to argue, “Hey, I know that in the past, Communism hasn’t really worked out for, y’know, anyone, but you should still support this idea because it’s really great in theory!”

Bottom line: look at the resolution through a conceptual lens, but don’t exclude the value of real-life examples.

You ought to take this resolution seriously—at least in theory.

Who Guards the Guardians?

By Ciera Horton

In 2010, an international, non-profit organization known as WikiLeaks published 77,000 classified reports that detailed U.S. action in Afghanistan. Only a few months later, WikiLeaks started disclosing U.S. State Department cables, information that was top-secret and prohibited from publication.[[62]](#footnote-62)

However, the U.S. Government declared the secret disclosures to be potentially harmful to the U.S. and to military operations. The Department of Defense issued the following statement: “By disclosing such sensitive information, WikiLeaks continues to put at risk the lives of our troops...we know our enemies will mine this information, looking for insights into how we operate, cultivate sources and react in combat situations, even the capability of our equipment. This security breach could very well get our troops and those they are fighting with killed.”[[63]](#footnote-63)

During a conference a short time after, the WikiLeaks founder, Julian Assange, was asked: “Governments are elected. You, Mr. Assange, are not. Who guards the guardians?”[[64]](#footnote-64) The question was left unanswered.

In the context of this year’s resolution, that is the real question. Who guards the guardians? Our government is established over us to provide protection, to defend our rights, to promote the general welfare and to safeguard our national security. The government officials are the guardians of our nation. But whose place is it to question their authority and to bring to light issues with the government? Who is to say what is classified and what deserves to be told?

The implications of the leaks have stretched beyond questioning the United States government. The disclosure of state information has sparked new interest in the debate between national security and the freedom of the press. In the wake of Edward Snowden’s leaks on American investigations, this issue is more pertinent than ever.

What is the freedom of the press? The freedom of the press is the freedom of expression through electronic media or printed materials. This typically relates to news media, meaning they can publish anything they want, unless restricted by a valid prior restraint, which is uncommon.[[65]](#footnote-65) A prior restraint is a legal restriction that keeps certain material from being published. This can be set up by a government and can relate to national security issues, though not exclusively.[[66]](#footnote-66) Now, this freedom of the press does not keep reporters from being liable for what they publish—for example, if a story invades a person’s privacy or is a wrongful act of defamation, the journalist can be sued for libel. (Libel is a published false statement that damages someone’s reputation.) To what extent can the press publish anything they want despite foreseeable ramifications to the protection of national security? This article will help you find answers to some pressing questions as you begin researching and writing your case for this competitive season.

1) What entities qualify as the media (the press) and what legal protections are given to them under the First Amendment to the Constitution?

In other words, is a freelance blogger the same as a journalist working for an accredited, well known newspaper such as The New York Times? In our modern world, many believe the freedom of the press now includes not only those who work in journalism by trade but also anyone who has access to a computer and blog or online forum.

The 2nd U.S. Circuit Court of Appeals, has said that the First Amendment’s protection of freedom of the press is not limited to professional journalists but that every citizen should have the right to investigate government affairs and to share their opinions. The Supreme Court stated in 1938 during the Lovell v. City of Griffin case that the First Amendment protects “every sort of publication which affords a vehicle of information and opinion.”[[67]](#footnote-67)

The United States has one of the best systems for protecting the freedom of the press. Repeatedly throughout history, courts have issued ruling that defend the press, protecting them from libel suits and from being coerced to reveal sources. These legal protections all come from the First Amendment.[[68]](#footnote-68)

Affirmative, you need to decide whether the government has any right or authority to try to stop online bloggers or journalists from sharing information they uncover. Should the legal rights under the First Amendment be the same for a blogger as for a professional journalist? Negative, you may want to consider limiting the definition of the press. Decide what qualifies as the media and what legal protections that entails.

What role does the press play in both exposing misconduct in the government and informing the public on issues of possible criminality?

We all know the benefit of the media in sharing current events and sparking debate and public interest. We especially see this during elections. On a different level, however, we have also seen countless times when the press has both exposed issues and enlightened the public to information that clearly needed to be addressed.

It was the press that brought to the attention of the nation the abuse of child labor during the turn of the century and the press that uncovered government deception during the Vietnam War through the Pentagon Papers. Most notably, it was the press that discovered the Watergate scandal. Two novice reporters for the Washington Post, Bob Woodward and Carl Bernstein, ran an investigation into the Watergate burglary that caused Richard Nixon’s resignation.[[69]](#footnote-69)

Without the press’ intervention, perhaps Nixon’s intended cover-up would have gone unnoticed. The First Amendment protects the freedom of the press as a natural check on government power.

The press is both necessary and valuable as it can help to evaluate the actions of our governing officials. However, exposing actions of fraud and illegal behavior is very different than sharing the course of military action or the names of CIA operatives. As you write your case, it may be helpful to provide a standard or determining factor for deciding what can be printed and what cannot.

3) Is it possible for the media to know the impact the prohibited publication of material can have on national security? If so, to what extent?

The media is looking for a story; a story that will sell papers and get readers or higher ratings. In the world of the press, there is an incessant competition to see who gets the top story and who gets it first. And nothing sells papers like controversy.

It is not uncommon for journalists and reporters to meet with government officials to discuss issues and to determine potential harm to national security. However, the publications make their own editorial decisions on what to publish and what is better left unprinted. Sometimes, editors will even follow the request of government officials to delay or refrain from publication if the matter is considered a pressing security threat. So while a journalist may not be able to completely determine the effects of printing classified material, but they have the ability to make an informed opinion.[[70]](#footnote-70)

WikiLeaks and other independent media outlets, however, are entirely different. Government officials fear that they are losing the ability to control what is classified and what is not. But the real question is, whose responsibility is it to determine what should be printed and what should be concealed? Sometimes the benefit to the public is great and the risk to security is small. However, sometimes there is great risk in leaking and little benefit. But what about the situations when the risk is great but the public interest is also great? If you believe that the reporters get to decide what should be printed, you broaden their authority and responsibility. If you believe the government gets to decide, then determine what course of action should be taken to deal with the unauthorized publication of classified material. Ask yourself how that affects First Amendment rights.[[71]](#footnote-71)

4) What kind of harm can be caused because of such disclosures?

Throughout history, the unauthorized publication of material has caused significant damage. Media leaks are commonly associated with the following categories of negative results:

1. Loss of life
2. Loss of sources and methods
3. Effect on alliances
4. Financial expenses
5. Impact to global affairs and foreign policy
6. Misleading the public[[72]](#footnote-72)

In April of 1983, about sixty people were killed in a bombing of the U.S. Embassy in Beirut, the capital of Lebanon. During this time, the U.S. had intercepted coded radio traffic between Syria and Iran. However, a television network and news columnist shared that the U.S. had cracked the terrorists’ code, which then caused all of the radio traffic to cease.[[73]](#footnote-73)

Former chairman and publisher with the Washington Post, Katharine Graham, stated about the bombing in Beirut and the sharing of classified material: “...This undermined efforts to capture the terrorist leaders and eliminated a source of information about future attacks. Five months later, apparently the same terrorists struck again at the Marine barracks in Beirut; 241 servicemen were killed.”[[74]](#footnote-74)

Lives were lost and operations had to be shut down because the press published top secret material that cost the lives of 241 servicemen. Ramifications of such leaks are endless: loss of life, information, combat methods, terrorist investigations and even military strategy.[[75]](#footnote-75)

Now, is it worth it the few times when the leaks have serious consequences to still have the freedom of the press without any limitations? Most of the time, these leaks do not end with such results. But sometimes they do, such as the situation in Beirut.

Which is for the greater good? The freedom to know or protection?

Practical Advice and External Sources:

I would recommend reading up on several specific cases and historical examples as you work through this resolution. Since this topic is incredibly relevant today, many people will already have some bias coming into the round.

**Edward Snowden:** A technical contractor with the United States National Security Agency (NSA), Snowden is now notorious for leaking details of both British and U.S. investigation and surveillance actions to the media.[[76]](#footnote-76) Some call him a hero for exposing controversial government action. Others consider him a traitor.

Why did he leak the information? Did he make the right decision? Was he protected by First Amendment rights?

**The Pentagon Papers:** The Pentagon Papers are a collection of documents detailing the United States’ political and military involvement in Vietnam. This classified information was first published in 1971 by The New York Times. The government tried to keep the information from the press, as seen in the landmark case New York Times Co. v. United States, in which the Supreme Court defended the First Amendment and allowed the media to publish the previously classified material.[[77]](#footnote-77) The Times claimed that they published the information because it showed that the Johnson administration had lied to the public and that it was a pressing situation of national interest, that the people deserved to know. This is a very historic case that changed the course of the debate between national security and freedom of the press. You should understand the reason behind the court’s decision and whether or not there were any serious ramifications.

**Thomas Paine:** I always like to add a little history to my cases! Thomas Paine was not only known for writing the famous pamphlet Common Sense. He was also one of the first unauthorized leakers in America. Paine publicized information that said the United States had received covert assistance from France before they were openly an ally. As a result, Paine was forced to resign from his position in the Congressional committee.[[78]](#footnote-78) Did Paine make the right decision? Did he use “common sense” in sharing such classified information?

So as you begin to write your cases this year, think through some of the difficult questions and find your answers as you formulate your point of view and establish the foundation of your philosophy. My advice is to take the time to understand the resolution, to do some serious research before you even pick up your pen and start to write.

Ask yourself, who guards the guardians? Is the press? Is it the people? And who decides what can be made known and what can be kept a secret?

With Great Applications comes Great Responsibility:   
Writing Spider Cases

By Elizabeth Jacobs

I really hate super-hero movies. (Super hero fans, don’t stop reading right now because of that sentence.) I think the reason I hate them so much is they seem unrealistic and cliché. I mean come on, is it really necessary for Super Man to ram himself through the majority of New York City before he takes down the bad guy? You know, people live in those buildings. They will stop living after an alien throws himself through their living room. Despite all that, I still go to these movies because I’m a good big sister.

However, all that super-hero cynicism died when I watched the new Spider-Man. I loved that movie. The reason is Spider-Man is just the coolest. He is intelligent, skilled, not alien, realistically handicapped, resourceful, and he has some sweet spider skills. He is the super hero that connects with people the most. He is vulnerable like we all are, but he has the skills we all wish we could have.

Spider-Man portrays a lovely picture of the power you can harness with this fantastic resolution. In this article I would like to present to you, an application-centric spider case.

First, *what is an application-centric spider case?* Simply put, this case is designed to have so many points of impact that your opposition is forced to take down multiple applications in order to defeat your case. This is different from a value-centric case, which has one fulcrum that the entire case hinges upon. Value-centric cases are fantastic in many ways, but I feel that this resolution calls for a few brave debaters to write killer application cases. Some people will argue that it’s silly to spend a lot of time on applications because the value is the key element of the round, that can be true, but it is important to understand that some applications are just too great to wash with a value. Especially on negative there is ample room to run widespread applications with huge impact.

So how do you write this awesome case?

1. **Buffer Value:** For some reason this term reminds me of a time when I would burn music onto a CD and it would “buffer”, but that is beside the point. A buffer value is a value that holds your basic premise to the resolution so you can link your applications. Essentially, this is a way to run a value without running a value. A good example of this is a case I ran last year. I ran a case with lots of fun, impactful applications, but none of them really linked back to just one value. So I ran the value of “Common Sense”. People tried to take down common sense in many different ways, but none were successful. Why? Because Common Sense is a terrible value, and I was fully aware of that. All I needed the value to do was connect me to the resolution. I could wash any value they brought up by saying *“Well yeah, it’s Common Sense**to use their value.”* It was great. My value linked me to the resolution long enough to draw impact for my applications. It got the point where I would spend maybe 30seconds on the value and then dive into impacts. Long story short, run a value you can spend little time on, while still keeping opposing values at bay.
2. **Application Party:** This is the best part. If you hate researching, find a way to like it. Google is your new friend (see, this article teaches you social skills too!) Since this case is all about the applications, spend the majority of your time on them. You don’t need to worry about finding a common link in all your applications to your value. The biggest thought on your mind should be impact! Find applications that make your judge scared. The real world is full of injustice and obscure tragedies that should be the headline of every news station. Find stories, facts, statistics, scenarios, problems, and numbers to quantify your applications. You want the story you are telling in your case to be bullet proof and convincing. In my case “F is for Fear” I ran the application of North Korea’s internet censorship. That application could be fleshed out so much more. Find statistics about the number of people who have access to basic email (most likely a *very* low percentage.) Quote stories about journalists killed, tortured, or imprisoned because they sent a text. Know every facet of your application and run it powerfully.
3. **Cut it Down:** Now, you have a wonderfully vague value and tons of great research. Obviously, you don’t want to kill your judge with information so cut your applications down into either A) Two or three very developed applications or B) Four to Five short, snappy applications with obvious impact. I think both strategies work great. If you do decide to run more than three applications, make sure they remain clear and convincing. The point of your applications isn’t to muddle the facts, but to clearly demonstrate to your judge that you hold all the impact. That means you need to make your applications to the point. Some applications are just great stories. My Optor! Application is a story I love. I want to tell the judge the whole story in detail, but unfortunately we have time limits. I had to cut that application a lot before it was workable. This means you have to do some painful cutting to your rhetoric and quotes for the sake of clarity. Don’t spread with detail. Let your applications be simply understood. You don’t need to make the applications complicated. You are winning on the truth of the facts you are presenting.

At this point you have a pretty great case. These cases can be challenging to run though. Here are a few final tips I learned.

* **Know It:** Since you are dependent on winning on the impact of your applications, know your applications better than anyone. Become the expert on that tiny example.
* **Defend it:** One of the best things you can do to make your application unbeatable is to think of every possible response to it. Write a list of all the responses that could come against it and find the best way to kill that response. That way when someone runs a response, you already know not only how to respond, but the *best* way to respond. There are oftentimes many ways to take down an argument; you need to know the best one.
* **Research:** This style of debating is wonderful for former Team Policy debaters, or people who think like Policy debaters. Not only do you need to know your applications, but you also need to have a fairly deep knowledge of other applications out there. You never want your opponent to say that he has more impact than you. Never give them a chance to have impact by wiping their application off the map in your first speech. It’s surprisingly easy to know more about your opponent’s application than they do.

All that being said, you can run a wonderful spider case if you chose. This resolution is wonderful. There is a clear conflict, lovely wording, and very little room for abuse. That gives you all a chance to own with applications. This style of case will surprise your opponents and convince your judge. Good luck this year, and remember: you can be even cooler than Spider-Man.

Feeling the Heat:   
Free Press in a National Security Vise

By Jesse Byrnes

From Gutenberg’s printing press to Twitter’s rumored IPO, the history of global communication has been impacted more by freedom than some special type of medium. Yes, the printing press was revolutionary and Twitter is (currently) unsurpassed, but the success of both in their time depended on their ability to allow their users to flourish. Today, so-called national security is seen by many as a threat to such free, open communication. Why send a hundred emails a day if you know a government analyst can read each and every one of them? Why Facebook a relative on their birthday if you know another gets to snoop on your private messages? Can such knowledge, access and potential interference be good for allowing use of media to grow?

“National security ought to be valued above freedom of the press.”

This resolution is similar to the NCFCA’s 2005-2006 resolution, “That the media's right to protect confidential sources is more important than the public's right to know” and the previous year’s “That the restriction of civil rights for the sake of national security is justified.” This resolution pits national security, or collaborative wellbeing, against freedom of the press - a fundamental Constitutional right. It encompasses values of security, freedom, accountability and expression.

The historical tug of war here, between national security and freedom of the press, represents a conflict between core human principles: protection and freedom. The more protection, the less freedom, and vice versa, as is popularly recognized by Benjamin Franklin: “Any society that would give up a little liberty to gain a little security will deserve neither and lose both.”[[79]](#footnote-79)

A sense of security is inherent - from wanting to cuddle fragile newborns to knowing if you'll have a job next week. Applied more generally, nationalists have to varying degrees that same sense: protection and loyalty – of the people, of the state, of its ideals – is supreme.

Still, this type of resolution leaves little room for middle ground.

Consider the following resolutions:

* “Government’s legitimacy is determined more by its respect for national security than freedom of the press.”
* “In pursuing justice, national security ought to be valued above freedom of the press.”
* “National security is superior to a free press as a means of protecting democracy.”

They are reformatted versions of the resolution with an added value (some will recognize the identical formats from previous years’ resolutions). These resolutions couch the debate within clear parameters of legitimacy, justice and democracy. Instead, this year debaters are forced to place one over the other; to take the plunge and be an absolutist.

Before tackling the intricacies of national security and freedom of the press, realize that both are changing very rapidly. Since 9/11, national security has seen renewed energy with the “War on Terrorism” and subsequent policies, including the PATRIOT Act and the creation of the Department of Homeland Security. “Dronefare” – drone warfare, as I just now coined – has been a point of contention both internationally and at home. Technological advances have pushed spying and wiretaps to levels never before seen, unless dreamed about in films like 1967’s *The President’s Analyst.* Government can now reach, read and store nearly any and all types of information, housing it all in places like the Utah Data Center.

The press is also changing. No longer does include merely newspapers, pamphlets, posters and leaflets pinned to trees. The Internet and World Wide Web have allowed information to travel faster than ever before, and the rise of social media like Facebook and especially Twitter has increased the speed exponentially. No longer do people have to wait weeks or days to know about the latest corrupt politician, secret military operation or apartment fire. When something happens nearly anywhere in developed and developing countries, individuals can post that to the world within seconds. And unlike traditional media, it’s there for (presumably) forever.

Freedom of the press, protected by the First Amendment, is a vital component of any free society. Often called the fourth branch of government or the “fourth estate,” the free press provides a public service by holding leaders and elected officials accountable, informing the public of what goes on in the nation, states and communities, and giving a voice to the powerless.

Unfortunately, free press doesn’t exist in most places. Less than 14 percent of people around the world live in countries with a free press, according to Freedom House's annual *Freedom of the Press* index.[[80]](#footnote-80) That is the lowest percentage of those in that category since 1996. Those that enjoy a free press include primarily Europe, Australia, New Zealand, Japan, Canada and the U.S., while populations experiencing limited to un-free press are driven largely by China and India. One can argue that some countries like Russia, China, Iran and Venezuela – which are known for their tight control and manipulation of media outlets – place the emphasis on security over freedom, but the reality is that they are maintaining a sense of ownership over press, part of a greater nationalization.

With so few friends around the world, what does freedom of the press look like in America?

In May, the Associated Press reported that the Justice Department had secretly obtained two months of telephone records, both work and personal, for several editors and reporters as the general AP office digits in Washington, New York, Connecticut and the House of Representatives Press Gallery. AP President and CEO Gary Pruitt said it was “sweeping and broad and beyond what they needed to do," describing the Justice Department’s tactics as “abusive.”[[81]](#footnote-81)

In 2009, Fox News’ chief Washington correspondent James Rosen reported that, based on CIA information from sources in North Korea, U.S. intelligence officials believed that United Nations sanctions would push North Korea to conduct more nuclear tests. The week after the AP news, the Washington Post[[82]](#footnote-82) published a searing piece highlighting the extent of the Justice Department’s action investigating Rosen and prosecuting the leaker, a government advisor and arms expert with the State Department who had security clearance. Court affidavits obtained by The Post indicated that the Justice Department tracked Rosen’s coming and going via security badge access, traced call times with the State Department advisor and obtained a search warrant to read Rosen’s personal emails. The FBI, which conducted the investigation into the leak, wrote that based on evidence Rosen had broken the law: “at the very least, either as an aider, abettor and/or co-conspirator,” according to The Post. Many journalists decried the news as blatant overstep of government power given that, though debatable, it is not illegal for a reporter to solicit such security information because of the First Amendment’s freedom of press protection and no reporter has ever been prosecuted for it, including Rosen. In a statement to TVNewser, Fox News defended Rosen and his ability to report “as a member of what up until now has always been a free press.”[[83]](#footnote-83)

President Obama and the Justice Department have pursued more cases against leakers of supposedly classified information than all previous administrations combined. The unprecedented action against those involved in leaked details has been a point of contention among journalists for quite some time, highlighted by the most recent exchange over a top-secret government program, the National Security Agency’s data-collecting dragnot called PRISM. The Washington Post and The Guardian newspapers broke the story about the NSA’s comprehensive surveillance program thanks to leaker Edward Snowden. Since then, Snowden has been on a run from the U.S. government.

Should Edward Snowden be prosecuted as a traitor for feeding details about a top-secret government program to certain journalists and media outlets? Should those journalists and their employers be tried for publishing sensitive documents? Should the people that read those newspaper articles and hear those television broadcasts be put on trial for obtaining that information and continuing to spread it on sites like Facebook and Twitter? The line must be drawn somewhere, but where? When national security is at risk, at what point do the punishments end? Because the effects are and will continue to be felt on a much larger scale that for one individual, many will say.

In 2006, ahead of possible legislation dealing with classified information published by the press, University of Chicago Law professor Geoffrey R. Stone submitted a memo to the House Special Committee on Intelligence outlining what he considered three types of classified government info: "illegitimate" government secrets, which seek to hide incompetence, corruption, and criminal behavior; "legitimate but newsworthy" government secrets, that may be harmful to the national interest but lead to beneficial change; and "legitimate and non-newsworthy" government secrets that do not necessarily serve a public interest and may harm national security, like announcing that the U.S. has hacked its enemy’s code. [[84]](#footnote-84) The distinction between each can be narrow and gray, but only the last justifies legal pursuit. It is the reason that not a single reporter has been prosecuted. Journalists can be sued for libel and held accountable for false advertising, obscenity and similarly unproductive and immoral acts, but they have yet to become the villains for casting light on government accountability.

National security and freedom of the press are both necessary values, but debaters must contend in more absolute terms that one is more important than the other. Though security has been a guiding value in the last dozen years, recent events have highlighted the need for a renewed balance between the two and the necessity for government to take a step back and allow journalists and other free media members to do their jobs without interference.

Food for Thought

Does the proposed Free Flow of Information Act, aka the Federal Shield Law, hurt press freedom by narrowly defining what means to be a “journalist”?

When considering situations like Iraq and Weapons of Mass Destruction under former President George W. Bush or U.S. military drones under President Obama, which is better: quickly releasing bad news or building citizens up for a let down?

What can be justified for the sake of national security? (wiretaps, TSA scanners, etc.)

How does the Espionage Act guide the current debate over leaks?

The National Security Agency (NSA) data mining scandal is seen as intrusive and even abusive, but how does it impact free, open communication?

Do the recent leaks involving Bradley Manning (WikiLeaks) and Edward Snowden (NSA) illustrate a shift toward greater government accountability or more treason charges?

Part 2: Affirmative Cases

National Security: The Path to Peace and Prosperity

By Isaac Sommers

I Protect Therefore I Am

By Caleb DeLon

Protection of the Innocent

By Melissa Lueken

Co-Accountability

By Drew Hepler

Purpose above Privilege

By Abby Davis

To Print or not to Print

By Ciera Horton

Protect the President

By Travis Herche

National Security: The Path to Peace and Prosperity

by Isaac Sommers

Intro

The purpose, obligations, and duties of good government have been debated for millennia. However, as can be observed by looking at any nation of the past, whenever any society ceases to recognize the value of security for its nation, that society will cease to flourish. Good government must be based upon the foundational principle outlined in our Constitution: “promot[ing] the general welfare.”[[85]](#footnote-85) Thus, because of the unique value that national security places on human life and progress, I stand emphatically resolved: national security ought to be valued above freedom of the press.

Definitions

To better understand the resolution, I’d like to define the key terms:

National Security - “the protection or the safety of a country's secrets and its citizens.” [[86]](#footnote-86)

Freedom of the press - “the right to publish news and opinions in the press without the government removing any of the information.” [[87]](#footnote-87)

Value - consider something to be important or beneficial[[88]](#footnote-88)

Resolutional Analysis

With these definitions in mind, let’s take a look at the context of the topic by examining two points of resolutional analysis:

1. Government: Since national security and freedom of the press are both large-scale ideas involving governmental administration, it should follow that the government is the one doing the valuing.
2. Conflict: Thinking of the resolution as completely absolute would lead to either pure totalitarianism or utter anarchy. Neither situation is ideal, nor realistic. Thus, the only context in which the resolution can be reasonably discussed is in situations where the two conflict: when we have to restrict national security or freedom of the press in order to promote the other, which should we choose?

The standard that helps us determine why we should value national security higher in situations of conflict is found in my value of **general welfare**, which is defined as “the greatest good, as ordained by precepts of natural law, for the greatest number of people.”*[[89]](#footnote-89)* This value encompasses the wellbeing of an entire nation, including their natural human rights, as well as the prosperity of the society as a whole–not just of a simple majority. My criterion, or the way general welfare is best achieved is through **national security**. To see why the resolution is true, let’s examine three main points, or contentions:

Contention 1. General welfare is paramount

Most people instinctively know that the only legitimate purpose and obligation of government is to protect its people. While this certainly entails the creation of just laws to punish criminals, and a military to defend the nation’s borders, general welfare encompasses much more than just basic existence. Rather, it includes our rights to life, liberty, and property; the rights to the pursuit of happiness, equal opportunity in society, and progression in social, economic, and technological practices. When the government values the general welfare, this not only means securing rights for its citizens, but also providing a safe environment that encourages innovation and progress. Thus, the general welfare ought to be the highest goal of any government.

Contention 2. National security values human life and progress

As general welfare is the most important value that government should strive to uphold, it is necessary to analyze its most important components–human life, and progress–and see exactly how national security best achieves those standards.

A) Human life

National security, by its very nature, places the utmost regard on human life, but it also promotes other human rights by creating order in society. In order for there to be prosperity, society must provide a peaceful and safe environment in which people do not just exist, but thrive. Freedom of the press can conflict with national security, however, and thereby threaten the peace and safety of citizens, as was the case in October of 2010, where WikiLeaks, an international organization, made public over “390,000 classified US reports concerning military operations in Iraq.”[[90]](#footnote-90) Regardless of whether one supports US military operations in Iraq, the Taliban’s confirmation that they were using that information to hunt down American soldiers was chilling. They stated, “We will investigate through our own secret service whether the people mentioned are really spies working for the U.S. If they are U.S. spies, then we know how to punish them.”5 Valuing freedom of the press over national security can compromise counterterrorism efforts designed to prevent another 9/11, and since it is the duty of government to protect its people, it cannot gamble with their valuable lives.

B) Progress

Existence alone cannot guarantee the greatest good for a nation’s people. In order for there to be prosperity and high quality of life, there must be progress–and for there to be progress, there must be an incentive combined with an absence of fear. As Scottish philosopher Thomas Carlyle said, “The first duty of man is to conquer fear; he must get rid of it, he cannot act till then.”[[91]](#footnote-91) World Wars 1 and 2 were not times of prosperity because our very existence was on the line.[[92]](#footnote-92) However, thanks to restrictions on the media, classified information was not disclosed to the public, as doing so would have not only led to the loss of lives overseas, but would further damage security at home, thereby inhibiting the progress and economic recovery we so desperately needed.[[93]](#footnote-93)

Contention 3. National security best promotes general welfare

In an ideal world, there would be no terrorists, no tyrants, no wars; in an ideal world, national security and freedom of the press would never conflict. However, that world is not the one we live in, and while both ought to be valued in every society, the fact of the matter is that valuing freedom of the press simply cannot guarantee the wellbeing of an entire nation as consistently as can valuing national security. While knowledge is a powerful tool that can build up a nation or tear it down, national security inherently focuses on protecting citizens from harm, which is why I urge you to affirm the resolution: national security ought to be valued above freedom of the press.

Negative Brief against Aff Case “National Security: The Path to Peace…”

By Isaac Sommers

This entire case is based on the premise that general welfare includes both life and progress, and that national security is the best means by which to attain those goals.

There are several ways of refuting this case: you can either accept the Affirmative framework of pragmatic values (saying that we should value national security or freedom of the press because of what they get us), or you can present an alternate framework by saying that freedom of the press is more intrinsically valuable than is national security. Both of these approaches are discussed below when applicable.

Definition - National Security: Accept the definition, but challenge the necessity of protecting secrets at the expense of liberty. Point out that national security is not only about citizens, but is also about state secrets and priorities, which are not always necessary (or even constructive) for promoting the general welfare.

Definition - Freedom of the press: Consider clarifying this definition in order to note that a true restriction of freedom of the press would have to involve the government controlling the information from within the media. Reasoning: Since it’s near impossible to successfully restrict information after it has been published, true restriction of freedom of the press requires that the government regulate the press internally. Use this to help set up whatever your Negative framework is.

Resolutional Analysis Point 1: Governmental Actor

Accept the Pragmatic Framework: No point of contention here. The government is the one doing the valuing.

Reject the Pragmatic Framework: It doesn’t matter who is doing that valuing; the way you determine whether one idea ought to be valued above another is by seeing which one has more value, not by who is doing the valuing.

Reasoning: Accepting the Aff framework could lead into very subjective interpretations of the resolution: the resolution may be true when the government is the actor, but it’s not true when the press is the actor, and it’s a different answer entirely when the citizens are the actor. We shouldn’t be asking “who” should value, but rather “why” should anyone value these ideas.

Resolutional Analysis Point 2: Absolute Resolution/Conflict

Arguing against this will make it very difficult for you to prove freedom of the press’s superiority, so disagreeing here wouldn’t make much sense unless you’re running a kritik or balanced Neg.

However, a more nuanced argument you could make is that, while we don’t have to only value national security or freedom of the press in general, we do have to make an exclusive decision in times of conflict: either the press is free, or it is restricted. There is no in-between. This distinction would help to set up a Negative case which argues that the government needs restriction/checks and balances/accountability with its power.

Value

Accept the Pragmatic Framework: If you accept the framework, you’ll likely want to accept the value. However, you could argue the interpretation of natural law (as either the two principles of “do all you agreed to do” and “don’t encroach on anyone or their property,” or just simply “natural rights” like life, liberty, and property), and contend that national security doesn’t actually promote general welfare based on natural law.

Reasoning: National security valued over freedom of the press inherently encroaches on the press and on the natural right to liberty, whereas freedom of the press, while not perfect, does not directly violate any natural rights: it’s simply making information available.

Reject the Pragmatic Framework: If you disagree with the framework, you can either accept or reject the value. The same argument about natural law could be made above, but if you want to counter value, consider a counter value of “Natural Law,” defined as above.

Reasoning: This steals the Aff definition and turns it into a better alternative for your Neg. Governments should avoid encroaching on their people, which is what national security could do, and is what freedom of the press helps to prevent.

Contention 1. General welfare is paramount

Accept the Pragmatic Framework: No reason to disagree with this point if you accept the value.

Reject the Pragmatic Framework: Point out that the government’s job is not to guarantee happiness for its people, but rather to allow them the liberty to do as they please.

Reasoning: If we require the government to provide for the general welfare in all of its entirety as defined by the Affirmative, we end up saying that the government should ensure that the nation progresses. It’s like saying, “if we are in an economic downturn, for instance, that’s the government’s fault, and they should fix it,” which isn’t the government’s job at all. Liberty is valuable because of its inherent nature, not because of what it might or might not achieve.

Contention 2. National security values human life and progress

Accept the Pragmatic Framework: You’ll naturally want to disagree on both sub-points. You can disagree with sub-point A (Human Life) by making the argument that claiming government should restrict WikiLeaks would require it to be in control of WikiLeaks, an obviously very controlling and totalitarian action. Furthermore, point out that valuing national security does not guarantee human life is protected like the Affirmative claims. Rather, it is merely a gamble that there would be a national security risk. Yes, no government can ever be absolutely certain about whether something poses a real security risk, but nevertheless, giving the government the right to limit the rights of the only ones who have natural rights (the people) sets a very dangerous precedent and starts the government on the road to tyranny, which almost always results in a loss of life. Argue against sub-point B by turning the application: point out that even with national security, World Wars 1 & 2 were not prosperous times, by the Affirmative’s own admission. Furthermore, break the link between national security and progress by showing how progress is, again, not guaranteed, but rather that national security merely allows for it. Freedom of the press, on the other hand, does promote progress, because the only way a society is able to move forward in terms of improving laws and learning about the world is through a free press.

Reject the Pragmatic Framework: Along with arguing everything else above, you can also disagree with sub-point B (progress) by arguing that, again, the job of government isn’t to guarantee prosperity for anyone, but rather to allow people to pursue their natural rights and to protect those rights with the minimal amount of force.

Contention 3. National security best promotes general welfare

Accept the Pragmatic Framework: Cross apply previous refutation points; tie in your case.

Reject the Pragmatic Framework: The goal is not to achieve general welfare, but rather to see whether national security or freedom of the press is more inherently valuable (based on the standard of natural law/natural rights, perhaps).

I Protect, Therefore I Am: National Security and National Existence

by Caleb DeLon

“The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic. It does not even protect a man from an injunction against uttering words that may have all the effect of force. Gompers v. Bucks Stove & Range Co., [221 U.S. 418](http://www.law.cornell.edu/supct-cgi/get-us-cite/221/418), 439. The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.”

I agree with Supreme Court Justice Oliver Wendell Holmes in his decision from the case Schenck v. United States. It is because I believe that only valuing National Security highest can adequately protect a nation from clear and present danger that I stand most emphatically, “Resolved: National security ought to be valued above freedom of the press.”

For clarity in today’s debate, a few foundational definitions are necessary, starting with:

* National Security: “the protection or the safety of a country’s secrets and its citizens”[[94]](#footnote-94)
* Value: “to consider someone or something to be important”[[95]](#footnote-95)
* Freedom of the Press: “freedom to print or publish without government interference”[[96]](#footnote-96)

To clarify exactly what this resolution means, let’s examine the following two points of resolutional analysis.

Resolutional Analysis 1: *Actions Reveal Value*

In order to figure out what we should value, we first need to establish what we actually value in the real world, as well as the consequences of those valuations. We can determine this very simply, using the principle that actions reveal value. That is, when faced with a choice, whatever we choose in the moment is what we value more. For example: If you have time to grab a granola bar or a package of trail mix before you run out the door, and you choose the trail mix, then you have valued it more highly than the granola bar. Actions reveal value.

Resolutional Analysis 2: National Interest is Not National Security

The end goal of National Security is ensuring that a given government can continue to exist. In contrast, the end goal of National Interest[[97]](#footnote-97) is promoting a government’s interests on the global scale. Any examples or arguments must concern conflict between the Freedom of the Press and National Security, not between the Freedom of the Press and the mere interests of a nation.

With those points clarified, let’s move on to analyze my value—simply the standard, or weighing mechanism, that I believe we should use to determine whether National Security or the Freedom of the Press should be valued more highly.

My **value** is **National Existence**, which is operationally defined as “the continued survival of a nation”. You should accept my value as the standard for this round because of three reasons, which you can tag as **value links**.

Value Link 1: [National Existence] Provides a Weighing Mechanism

When comparing the weight of two objects, you need a weighing mechanism. Similarly, you need a scale of some sort when considering the worth of two concepts. National Existence provides us with an appropriate weighing mechanism. Basically, I am proposing that we should more highly value whichever side best enables nations to continue their existence.

Value Link 2: [National Existence is the] Prerequisite Value

In order for a government to have any positive qualities, it must first exist. Nonexistent governments have no qualities. National Existence enables the pursuit of all other positive values—it is the prerequisite value.

Value Link 3: [National Existence is the] Foremost Value

National Existence is the most important value of all. When individuals enter society, they give up some of their other rights in order to promote National Existence. For example, taxes on your property can be used to defend the nation. Forced drafts restrict liberty, and lives can be lost when fighting wars. All of these sacrifices are made so that the nation as a whole can continue to exist.

[Pause to indicate transition to criterion.]

So what is the best method of maintaining National Existence? The method, or **criterion**, that I propose is **National Security**. You should accept this criterion as the means of upholding my value for one simple reason, which you can tag as my **criterion link**.

Criterion Link 1: National Security Promotes National Existence

When the press merely criticizes a government or somehow harms its interests, restrictions are not legitimate. However, when the freedom of the press conflicts with governmental measures to protect citizens, prevent attack, or guard vital national secrets, restrictions for the sake of National Security are legitimate.

In his article in the William and Mary Law Review, Robert F. Flinn discussed the long historical precedent for restricting the Freedom of the Press when it conflicts with National Security. “In 1777, General George Washington complained about press leaks which might be harmful to the Continental Army. During the Civil War General Burnside seized and suppressed an edition of the Chicago Times, alleging that the Times was publishing material which was secret and that such activity was dangerous to the public safety. [During the Civil War,] Confederate generals frequently used the Yankee press to discover enemy troop movements, and President Lincoln felt compelled to issue a sweeping order providing for the court martial of correspondents whose reports were found to be of aid to the enemy.”[[98]](#footnote-98)

Another example is the United States Supreme Court case Schenck v. United States, which I referenced in my introduction. This case supports the principle that, when a nation’s existence is threatened, National Security must be valued above the Freedom of the Press. During World War I, Charles Schenck printed 15,000 leaflets urging people to oppose the draft. He was arrested and convicted, based upon the argument that his actions harmed the war effort and thus the nation’s security. Schenck appealed his conviction to the Supreme Court, but in a unanimous decision, the Supreme Court ruled that freedom of speech and of the press could be limited in times of war if it was clearly a hindrance to the war effort. They reasoned that the safety of others is more important than the right of a person to publish whatever he wants.[[99]](#footnote-99),[[100]](#footnote-100),[[101]](#footnote-101)

As seen in these examples, National Security promotes National Existence. When the Freedom of the Press conflicts with National Security, National Security must be valued more highly.

In summary, whichever side best upholds the National Existence is more valuable, and that side is National Security. Because I agree with politician Theresa May that, “National security is the first duty of government but we are also committed to reversing the substantial erosion of civil liberties”[[102]](#footnote-102), I strongly urge an Affirmative ballot.

Negative Brief against Aff Case “I Protect, Therefore I Am”

By Caleb DeLon

This brief serves the dual purpose of a Negative brief and an Affirmative addendum. Although its primary role is as a Negative brief, there will be certain parts of this brief that are tailored towards the Affirmative side—either notes on how the case works or refutations to some of the Negative arguments I will discuss. Let’s get started.

Opening Illustration

1. Schenck v. United States established the standard of “clear and present danger” as a way to determine when restrictions on Freedom of the Press are legitimate. That standard was refined and/or replaced (depending on your interpretation) by Brandenburg v. Ohio, where the Supreme Court clarified what constituted “clear and present danger”. to “imminent lawless action”. Under the imminent lawless action test, speech is not protected by the First Amendment if the speaker intends to incite a violation of the law that is both imminent and likely. It is not enough for speech to advocate violence against the government—it must advocate imminent violence. This did not directly overturn Schenck v. United States, but did cast at least some doubt on its validity. The imminent lawless action test established by *Brandenburg v. Ohio* is now the standard applied by the Court to free speech issues related to advocacy of violence.

2. You can also directly criticize the decision, especially in light of later adjustments to the ruling. Were the leaflets that Schenck distributed really harmful to National Existence? If the government gets to arbitrarily decide what actions are dangerous, what else can they restrict? The brightline seems a bit fuzzy. You can argue that this case illustrates the governmental overreach that valuing National Security highest can enable.

Definitions

None of these are so biased or bad that they need to be replaced. The definition of Freedom of the Press includes the word “freedom”, so you could feel free to add a definition of that word by itself. However, that is not a justification for totally replacing the definition with your own. After all, you should only replace a definition when you absolutely have to do so, not for petty things that can be ignored without harming the debate.

Resolutional Analysis 1

As I discussed in my article, including a resolutional analysis point explaining your interpretation of “valued” is indispensable this year. This Affirmative case uses the present actions approach, and thus the Negative debater cannot argue, “Because the end goal of National Security is a society where Freedom of the Press can exist, Freedom of the Press is more valuable.” If the Negative debater desires to make that argument, this resolutional analysis must be replaced. It’s not complicated—you could even replace this one with of the other two resolutional analyses included in my article!

Resolutional Analysis 2

I stumbled upon this distinction in the middle of writing the case. If I had another article, I might have chosen this topic. (Maybe I’ll write something on it for the Midseason Red. You’ll just have to wait and see!) The resolutional impact of this argument is almost limitless. This distinction gives the Affirmative debater an opportunity to dismiss examples by saying that they aren’t relevant to the conflict between Freedom of the Press and National Security, but only the conflict between Freedom of the Press and National Interest. For clarity’s sake, the basic Wikipedia explanation of National Interest is: “The national interest, often referred to by the French expression raison d'État (English: reason of the State), is a country's goals and ambitions whether economic, military, or cultural.”[[103]](#footnote-103) So, under that definition National Security can be viewed as a subset of National Interest. Thus, the Affirmative debater can argue that examples dealing with other components of National Interest are irrelevant. In all likelihood, it will be useful for the Negative debater to blur the distinction a bit. If National Security simply means protecting the citizens and secrets of a country, aren’t most (if not all) of the government’s actions directed towards that end? If the government thinks that it can best protect its people through dictatorial rule (such as in China and North Korea), can we really dismiss that example by claiming that it doesn’t relate to National Security but only National Interest? Can’t it apply both to National Interest as a whole and National Security as a part? In that case, the Affirmative debater is simply trying to weasel out of arguments and examples that harm his case.

Value

1. Note that the definition is operational. This is debater-speak for “I made it up.” This is a perfectly acceptable approach to definitions, as long as the “operational definition” disclaimer is included. I use operational definitions only for terms I make up, because they obviously don’t have dictionary definitions. In general, when you can choose a dictionary definition (for example, for terms in the resolution), you should prefer one over an operational definition. Operational definitions of resolutional terms can be easily replaced using an appeal to authority. On the other hand, operational definitions of terms invented by debaters are impregnable, due to the simple reality that the creator of a term gets to say what it means. The opposing debater cannot logically argue, “No, you don’t really know what National Existence means. I know you invented it and all that, but I think I have a better understanding of the term. So, here’s my definition.” That doesn’t make any sense. So, be aware that the term National Existence will not be found in any dictionary—but don’t freak out about it.

2. National Existence is an amoral concept. There is nothing inherently good about a nation existing. The Affirmative case does not argue that National Existence is inherently good, but rather that it is the best standard—primarily because it is a prerequisite. While this is a valid argument, it is particularly susceptible to the inherent worth approach. If Freedom of the Press achieves moral concepts such as Accountability, Democracy, and Liberty, isn’t it more valuable? Keep in mind that the Affirmative debater’s response will simply be to say that none of those concepts can exist in the absence of National Existence.

3. You can argue that National Existence is not a good weighing mechanism because harms to it are so rare. Are there really that many instances where the freedom of the press threatens a nation’s very existence? Sure, a free press may make it more difficult for a government to continue to defend itself, but can that really be labeled as a threat to the country’s survival?

4. You can also argue that the value of National Existence is merely National Security in disguise. What is National Existence but the ability of a country to continue to defend itself? While this is an interesting argument, I do think it falls short of validity. The Affirmative debater can respond that while the concepts are closely related, they are distinct for two reasons.

First, by definition, National Existence is not an ability but a state of being. In contrast, National Security is definitely an ability—the ability to protect citizens and secrets, or the act of doing so.

Second, nations that are not nationally secure can still exist. For example, many impoverished African countries are not nationally secure yet still exist. Right now, South Sudan hardly has the ability to defend itself, but unless it is conquered by Sudan it will continue to be a nation in its own right. Note that while it is possible for a nation to exist without National Security, it is not possible for a nation to have National Security without National Existence because, as stated in the case, nonexistent governments have no qualities. Thus, the Affirmative debater’s response to this criticism is that National Existence is an end while National Security is the best means to reach it.

5. The Affirmative case seems to set up the debate as one between tyranny and anarchy. The Affirmative debater can outweigh any arguments brought up by the Negative debater concerning Accountability, Democracy, or Liberty by saying that any sort of existing government is better than anarchy. This is probably true—most people throughout history have argued that tyranny is a preferable state to Anarchy. After all, at least in a tyranny there is only one group of people who can kill you without repurcussions: the governing authorities. In an anarchy, anyone can kill you at any time for any reason without any punishment. Henry Ward Beecher believed that although government is bad, anarchy is worse. He said, “The worst thing in this world, next to anarchy, is government.”[[104]](#footnote-104) The ancient Greek playwright Sophocles put it a bit more bluntly: “There is no greater evil than anarchy.”[[105]](#footnote-105) But the Negative debater may want to reframe the fundamental question this way: Is it better to have a weaker moral government or a stronger immoral one? Is it preferable to be a small African nation with a great government or a global behemoth such as China, which restricts the press on a daily basis? Which do we really want to live in?

6. Who says that keeping a government in existence is always the right thing to do? Can’t overthrowing the government be good? If a newspaper in Nazi Germany had access to the Nazis’ war plans, should it have been prevented from publishing them? On the other hand, if we say “no” with our 20/20 hindsight, on what basis can we prohibit American newspapers from printing our government’s war plans? Because we aren’t evil? The Nazis didn’t consider themselves evil either. Any standard set up must apply universally. Why shouldn’t we allow the press to advocate the overthrow of the government? If the people desire a new government, why should the old one be maintained?

Value Link 1

This is a perfectly valid reason to accept the Affirmative value. If your value as Negative is only a goal, and does not provide a standard with which two weigh the concepts of the resolution, it isn’t really a value at all. Values that do not serve as weighing mechanisms are of no use in deciding who won the round. Values must be standards. So, make sure yours are. Then, simply dismiss this value link as non-unique: both values are weighing mechanisms.

Value Link 2

Yes, governments need to exist before they can pursue positive qualities. But if a government’s need to exist is used as an excuse to avoid pursuing positive qualities, should it really be valued most highly? Isn’t it better to pursue Accountability, Democracy, and Liberty even though that pursuit might weaken the government? Isn’t governmental power—even power to protect itself—what the Founding Fathers were attempting to limit? As Lord Acton famously stated, “"Power tends to corrupt, and absolute power corrupts absolutely.”[[106]](#footnote-106) Including the absolute power to maintain your own existence.

Value Link 3

Is this analysis actually correct? It seems to be a slightly modified take on the Social Contract. Normally, the Social Contract is considered to be an arrangement wherein citizens give up some of their rights to ensure the protection of other rights. For example, absolute Liberty is given up to promote the safety of Life. The Social Contract is not usually viewed as an arrangement whereby the individual makes sacrifices for the sake of the collective. Thus, the Negative debater can argue that, while National Existence is good, it is better to weaken the government yet preserve our rights than to have a strong government that tramples our rights.

Criterion

This is simply a means criterion, arguing that the best way of upholding National Existence is National Security.

Criterion Link 1

1. This criterion link starts off by reinforcing the distinction between National Interest and National Security. If you addressed this above, you don’t need to do so here.

2. The quote from Robert F. Flinn is interesting, but doesn’t directly support the Affirmative side. Yes, Abraham Lincoln restricted the freedom of the press. Who says that was a good thing? Was threatening correspondents with a court martial an acceptable way to protect the nation?

3. Schenck v. United States was addressed above.

I hope these points help jump-start your thought process! The issues contained within this case will be discussed the entire year: take advantage of your opportunity to work through them now.

Protection of the Innocent

by Melissa Lueken

A mother warns her young child not to touch a hot stove lest he hurt himself; A business man looks both ways before he crosses the street on the way back to his office after his lunch break; A young woman bits her tongue and doesn’t say the first thing that comes to mind for the sake of a friendship. Every day we sacrifice personal liberties to protect greater ideals such as peace, happiness, and safety. It is because I believe that the press ought to practice the same discretion in regards to the safety of our nation, I stand **Resolved:** That national security ought to be valued above the freedom of the press. In order to provide clarity for today’s debate round, I offer the following **Definitions:**

1. **National Security:** “the protection or the safety of a country's secrets and its citizens.”[[107]](#footnote-107) – Macmillan Dictionary
2. **Freedom of the Press:**   
   “The right to circulate opinions in print without censorship by the government. Americans enjoy freedom of the press under the First Amendment to the Constitution.”[[108]](#footnote-108) – The American Heritage New Dictionary of Cultural Literacy, Third Addition

In order to further our understanding of the resolution, I would also like to present a point of **Resolutional Analysis: Context is Conflict**

National Security and Freedom of the Press are two ideals that often go hand-in-hand. National security is a protection of rights and free press in an exercise of the right to liberty. As such, in order to determine which concept ought to be valued higher we should not consider circumstances where they could easily be valued equally or where National Security and Freedom of the Press are not being valued in relation to each other. This resolution applies to situations where we must consciously choose National Security or Freedom of the Press. In other words, we must evaluate the resolution when the concepts of National Security and Freedom of the Press come into conflict.

Today, I present the **Value: Protection of the Innocent** defined as,“The maximization of the life, freedom, and property of a person without injuring another.”[[109]](#footnote-109)

Value Link 1: Universally Important

Over 200 years ago, Thomas Jefferson penned words that would be echoed throughout history: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness.”[[110]](#footnote-110) Individual rights are important on all soils. These rights cannot be enjoyed if they are not first secured and protected.

Value Link 2: Purpose of Government

Governments have unique authority and responsibility to protect the innocent and it is absolutely necessary that they use their power to protect the lives and rights of their citizens. United States founding father Thomas Jefferson said, “The care of human life and happiness and not their destruction is the first and only legitimate object of good government.”[[111]](#footnote-111)The protection of the innocent is the responsibility of the government.

Contention 1: Freedom of the Press can endanger the Innocent

Freedom of the press seeks to inform the public and hold the government accountable to its purpose. But in some situations, the exercise of this liberty harms the very rights it was intended to protect by threatening national security. A recent example of this is the **2005 NSA Wire Taps.** Employee of the Justice Department Thomas Tamm informed the New York Times of a National Security Agency program known as “Stellar Wind” which tapped wires without warrant in order to prevent further national security breaches like 9/11. President George W. Bush begged the editors of the paper not to publish the information and warned them that the responsibility for any detrimental effect would fall on their shoulders. The New York Times ignored the warning and on December 16, 2005 the story was published on the paper’s front page exposing NSA wire taps to the world – including Al Qaeda. Gabriel Schoenfeld, a Senior Fellow at the Hudson Institute and Ph.D., said of the publication, “If information about the NSA program had been quietly conveyed to an al-Qaeda operative on a microdot, or on paper with invisible ink, there can be no doubt that the episode would have been treated by the government as a cut-and-dried case of espionage. Publishing it for the world to read, the *Times* has accomplished the same end while at the same time congratulating itself for bravely defending the First Amendment and thereby protecting us—from, presumably, ourselves.”[[112]](#footnote-112) The press was attempting to protect citizens’ rights, but in turn, they informed our enemies. The only thing that they achieved was informing our enemies.

Contention 2: National Security Protects the Innocent

Only secure nations have the ability to protect their citizens. Sometimes, that security will come at the cost of some press control. However it does not need to be abusive or tyrannical in order to provide national security. In WWII, President Roosevelt wanted to avoid using his authority to censor the press. However, according to Historian Robert J. Hanyok in his review of *Secrets of Victory: The Office of Censorship and The American Press and Radio in World War II*, “Believing that it was critical for Americans to receive news about the war, he [President Roosevelt] set two conditions for the media: their stories must be accurate and they could not help the enemy.”[[113]](#footnote-113) Executive editor of the Associated Press, Byron Price, was put in charge of the media relations program which suggested the press’s voluntary censorship of sensitive information and warned of potential prosecution. Price had a good reputation in the press as a fair man, making him an ideal candidate for the job. In this position, He identified sources “guilty” of over stepping their bounds and reported them to any government agents involved and the Department of Justice which had the authority to prosecute under the 1918 Espionage Act. Bryon Price was praised for his work by both President Truman and the American Civil Liberties Union because he successfully protected vital information while defending the media’s right to publish and the peoples’ right to know.

Clearly we have seen from these two historical examples that the press allowed to go unbridled can put a nation’s citizens at risk. Because a government has as its primary goal to protect its citizens, there are times when a “lesser” right such as the freedom of the press must be stifled in order to protect the greater good, the lives of its citizens. When we value the protection of the innocent, there are times when the freedom of the press must be limited.

Negative Brief against Aff Case “Protection of the Innocent”

By Melissa Lueken

**Introduction:** “They who can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.”[[114]](#footnote-114) - Benjamin Franklin

**Resolutional Analysis:** The point is intended preempt explicit and implicit balanced negative arguments. However, if you aren’t planning to run a straight up balanced negative case, here’s how I would respond: **Not Mutually Exclusive**. You don’t have to uphold national security and throw out freedom of the press (and vice versa).

**Value and Value Links:** One of the advantages of this value for the affirmative is that it can easily wiggle out of a lot of negative applications and frameworks. One of your main goals in cross examination should be to nail down the affirmative position. Ask question like, “How does censoring the press maximize liberty?” “Who determines when the government’s authority to censor the press is implemented?” “Does any information that could negatively affect national security have to be censored?” “Who determines how sensitive information is to our national security interests?” etc.

Your response to the value in the negative constructive may vary based upon how the affirmative answers your questions. However, I would generally recommend that you focus your arguments on the means of achieving the value and the standards for those means as opposed to the value itself. Here are few lines of argumentation I would use:

1. Accept Protection of the Innocent

It will centra3lize the debate and boost your credibility if you can agree with your opponent on the value. Evaluate the value you would generally run in your negative case. Are the implications of the value itself significantly different from that of the protection of the innocent? Does your framework work with this value or could it be slightly tweaked in order to fit with the value?

2. Accept Protection of the Innocent as a Super-Value

If your case is value-centric or your value significantly differs from the protection of the innocent, I would recommend accepting the affirmative value as a super value. A super value essentially says, “The protection of the innocent is an absolutely wonderful idea, but the full extent of its implementation overwhelms the context of the resolution, so we need something more specific to use as a measure for today’s debate round. Which is why I present my value (fill in the blank)…” This method also minimizes disagreement in the round, but I would not encourage you to use it unless you are confident you understand what a super-value is.

**Contentions:** You could probably respond to the logic of both contentions with whatever contentions you will be running in your case, but here are a couple things to keep in mind for the applications:

**2005 NSA Wiretaps:** Whether or not the wiretaps *directly* harmed our national security is debatable, so I would encourage you to explore that in your own personal research. You can also point out that the government’s wiretapping isn’t a commendable action. The press exposed actions that could’ve lead to tyranny if left unchecked.

**WWII Censorship:** While the Office of Censorship was largely successful, there are several examples of abuse of government authority. For example, the Navy believed that the Chicago Tribune had received information about American code-breaking from a classified document and potentially exposed more information to the Japanese in attempts to publish the paper. In addition, FDR also censored the press in regards to his affair with Lucy Rutherfurd and his illness.

Co-Accountability

by Drew Hepler

“A declaration that the federal government will never restrain the presses from printing anything they please, will not take away the liability of the printers for false facts printed.” -Thomas Jefferson

It is because I believe that freedom of the press is tremendously important, but that the press must be held accountable for what it prints that I stand:

**Resolved:** National security ought to be valued above freedom of the press.

Resolutional Analysis:

It’s essential to this debate round to remember that the resolution asks which should be valued higher, not which should exist. By saying national security should be valued above freedom of the press I am saying that national security is more valuable to a nation, not that freedom of the press shouldn’t exist.

Definitions:

**National Security:** “The term national security encompasses within it economic security, monetary security, energy security, environmental security, military security, political security and security of energy and natural resources.”[[115]](#footnote-115)

An additional part of security is trust. Without trust it is very difficult, if not impossible, to feel secure in something or someone.

**Freedom of the Press:** “The right to publish newspapers, magazines, and other printed matter without governmental restriction and subject only to the laws of libel, obscenity, sedition, etc.”[[116]](#footnote-116)

**(Definition of)Value: “**To rate or scale in usefulness, importance, or general worth.”[[117]](#footnote-117)

Value (for round):

National Security (already defined)

Criterion:

Co-accountability: essentially accountability, or being held responsible for one’s actions. However, I say co-accountability to stress that an accountability relationship should be two-way, not just one party holding the other one responsible. In this debate round the parties involved are the government and the press.

Contention 1: National Security should be Valued Highest

Of course, it’s not enough to just state that as a fact, we must see why national security should be valued highest. This is what we’re debating today, really. There are a few reasons why I hold national security as the highest value in this round. The first is that security determines a nation’s existence. If a nation is not secure, it will be open to military takeover, economic meltdown, and political infighting. Second, a nation can be outwardly secure, but, as mentioned earlier, if the people don’t trust the government the nation isn’t truly secure. Think about it, if I don’t trust an airplane to stay in the air, I won’t feel secure on an airplane. In the same way, if I don’t trust the government, for whatever reason, military, honesty, etc. I won’t feel secure living under that government. So national security should be valued highest both to protect the nation and earn the people’s trust.

Contention 2: The Government Must be Held Accountable

National security is clearly very important, but how does a nation obtain national security? One key component is holding the government accountable. Accountability is an essential part of building trust, and since trust is so important for security, accountability is important for security as well.

That is where the press can help. In United States history there are several famous occasions where the press held the government responsible for its actions. Probably the most famous is the Watergate scandal. Initially, the story seemed insignificant, but two investigative journalists pursued the story and made Richard Nixon and his Administration account for their actions.

Another example is the Pentagon Papers. These papers, which recounted the history of the United States’ role in Vietnam, were leaked by a government employee.[[118]](#footnote-118) While the events in question were not as damning as the Watergate scandal, the Pentagon Papers did contain evidences of the government speaking one way and acting another. It was important for this dishonesty to come to light.

In both of these situations, national security was at stake. It could be argued that the papers, once published, presented a threat to national security. However, particularly in these cases, the risk was minimal and the loss of trust incurred without publication would have been an even bigger problem.

Contention 3: The Press Must be Held Accountable

We see that trust is important for security and that the press can help keep the government trustworthy. But the press must be responsible for what it writes. Fortunately, cases like Watergate and the Pentagon Papers didn’t have a significant effect on national security, from a military and economic standpoint, but there are other times where the publication of information did have a detrimental effect on national security. Take the recent example of Edward Snowden. The press published the classified information he gave them at significant risk to national security. It remains to be seen what the long-term effects of these leaks will be.

This is where co-accountability comes in. Allen Neuharth, founder of USA Today and the Newseum in Washington D.C.: “The First Amendment guarantees a free press; the press itself must guarantee a fair one.”[[119]](#footnote-119) The government, and the people, can help ensure a fair press by holding it to standards of honesty and common sense. The press, even with its inherent biases, should be able to evaluate when the publication of something would do extensive damage to national security.

Contention 4: Co-accountability Leads to Security

Co-accountability can lead to security in a few ways based on who is being held accountable. The first way is when the press holds the government accountable. This leads to trust and trust is an essential part of security. Another way is by holding the press accountable for what it publishes. This ensures that sensitive information that will have an effect on the national security situation isn’t published. By balancing responsibility between the two groups, government and press, trust can be achieved, and so can national security.

Negative Brief against Aff Case “Co-Accountability”

By Drew Hepler

Resolutional Analysis:

It is fine to say that a government is only *valuing* national security more highly, but in practice what does this mean? If you value something more highly, you will choose it over something else. Choosing national security over freedom of the press could potentially lead to a form of government censorship. Having both but valuing one more highly means the other will necessarily be diminished.

Definitions:

**National Security:** Yes, trust is important, that is why the freedom of the press is so valuable: it helps keep the government trustworthy.

**(Definition of) Value:** As stated in the resolutional analysis, when you “scale in usefulness, importance, or general worth,” the items lower on the scale will be devalued and possibly harmed.

**Value:** Insert your own value arguments. Also, when national security is valued highest, freedom is not guaranteed. Just look at North Korea. Freedom for people and the press is more important than security.

**Criterion:** The government holding the press accountable would amount to a level of government censorship. It would be extremely difficult for the press to hold the government accountable if the government were allowed to censor the press under the guise of accountability. In addition, co-accountability does not provide a clear standard for when something should or should not be published; it just assumes that the press and the government can figure that out.

Contentions:

**C1:** Freedom of the press should be valued more highly for several reasons: as stated above, if you value national security more highly it opens the door for censorship. Also, as Thomas Jefferson said: “…were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.”[[120]](#footnote-120) Additionally, a free press is really what ensures that a government is trustworthy, not national security. (Also insert your own value arguments here.)

**C2:** Agreed, that’s the point of having a free press. You could also make the argument that a free press is foundationally necessary for national security because without it you could have a situation like China’s: outwardly secure but inwardly fractured.

**C3:** The press should be responsible for what it writes, but it is not the government’s job to hold it to certain standards; indeed, it is not stated in the Constitution or elsewhere that the government can hold the press to certain standards. The government is not allowed to interfere with the press or keep them from writing what they wish except for completely unique circumstances.

In addition, the press can regulate itself in order to not print damaging information. There are no examples of the free press causing significant harm to national security. Cases such as Wikileaks and Edward Snowden have not resulted in significant damage to national security.

Finally, there are no clear standards provided under the affirmative for what can and cannot be published. What is truly damaging to national security? Who decides? Those questions are un-answered under the affirmative. It would be very easy for the government to overstep its bounds and un-constitutionally restrict the press under the affirmative case.

**C4:** Covered above.

Purpose Above Privilege

by Abby Davis

You’re the parent of 2 children, and you’ve suddenly encountered a crisis. Your boss told you this afternoon that the company was cutting back on employees, and you were going to lose your job. You’re crunching the numbers, and you realize you can either let your kids keep their cell phones, or you can feed them. Obviously, the cell phones are out the window. But why? Because it’s your job as their parent to provide for their wellbeing. It would be absurd to decide that their cell phones, a privilege, are more important than keeping them fed and healthy. When faced with the choice, you value your purpose above the privileges you can give to your children.

Because I believe a government also must place its primary purpose above any additional privileges it gives to its people that I stand resolved that national security ought to be valued above freedom of the press.

Before we move into the meat of my case, let’s look at a few definitions to clarify the round.

* **National Security**: “condition of a nation’s safety from threats, especially threats from external sources” *(Center for Civic Education)*[[121]](#footnote-121).
* **Ought:** “to indicate duty or obligation” *(Dictionary.com)*[[122]](#footnote-122).
* **Freedom of the Press:** “the right of publishing books, pamphlets, newspapers, or periodicals without restraint or censorship subject only to the existing laws against libel, sedition, and indecency” *(Merriam-Webster)*[[123]](#footnote-123).

Let’s start off with two Resolutional Analyses.

Resolutional Analysis 1: Ought vs. Reality

Although a small word that seems easy to overlook, the word “ought” in this resolution presents an absolutely critical idea: that we’re examining how an ideal world should work, rather than how every instance in reality works today. Our debate should center on how the concepts conflict rather than how the world today operates.

Resolutional Analysis 2: Government Implied

This resolution does not specify an actor, or *who* ought to be valuing national security and freedom of the press. However, as both ideas pertain to functions of governments, this round will focus on the valuing of both by governments.

Now we’ll move on to my **value**, or end goal, which is **Purpose**. Purpose can be defined as: “the reason for which something exists or is done, made, used, etc” *(Dictionary.com)*[[124]](#footnote-124). Purpose is the best value for today’s round for this reason:

Value Link: Determines Priorities

Understanding an entity’s purpose helps us understand what its priorities ought to be. Valuing the purpose of an entity such as a government, then, helps us determine the relationship between a government and the concepts presented: National Security and Freedom of the Press.

I have two contentions, or main points, that explain this further.

Contention 1: National Security is the Primary Purpose of Government

A legitimate government is created by its people for the main purpose of protecting its people. That’s the idea of the social contract, supported by well-known philosophers such as Locke or Rousseau. No person is born with an automatic right to rule over somebody else. Governments are created by this mutual consent, or the social contract. The people say, “We’ll sacrifice some of our liberties and money so that you can protect us from criminals and foreign powers.” Governments exist to protect their people, and thus that is their primary purpose. Thomas Jefferson supports this idea by saying, “The purpose of government is to enable the people of a nation to live in safety and happiness. Government exists for the interests of the governed, not for the governors.”[[125]](#footnote-125)

Contention 2: Freedom of the Press is a Privilege

Freedom of the press is an important aspect of promoting liberty in any society. Governments should consider it, among many other freedoms such as freedom of religion or freedom of assembly. But today’s resolution has asked us which concept ought to be valued higher, national security or freedom of the press. A government first and foremost ought to value the safety of its people, and then after value and provide freedoms. If a conflict arose between the two, the security of a people should come before the privileges a government provides. That's the first job of a government. Much like the parent providing food and then cell phones, a government must first value the protection of its people and then consider other privileges such as freedom of the press.

Freedom of the press is an important aspect of government, and I absolutely support any government that provides it. I’m not advocating that governments ought to follow the lead of countries such as North Korea or China and deny that privilege. But when it comes to examining which ought to be valued highest, we can see that national security takes precedence as the primary purpose of a government, and thus ought to be valued above freedom of the press.

Don’t put the cell phones before the food. I ask you to stand with the primary purpose of a government, and to stand resolved that national security ought to be valued above freedom of the press.

Negative Brief against Aff Case “Purpose Above Privilege”

By Abby Davis

So, you’ve either decided to run this case, or you’re facing it on the other side. No matter how it may sound, I promise, it’s far from perfect. Let’s take a look at some of the weaknesses and how you can refute it. We’ll look at this point-by-point through the structure of the case.

**Resoltional Analysis #1: Ought vs. Reality**. While this sounds great and will be sweet music to a LD purist’s ears, it has some serious flaws. It assumes that we can only look at an idea, and disregards the value of its application in real life. That’s not how the world works, though. A philosophy is only as good as how it works in the practical application. For example, Communism works ideally. But if you look at any given real-life application, you can see that it’s actually a terrible philosophy, and not one that should be upheld. Yes, you can debate philosophies, but you can’t just exclude how the real world operates from a logical debate.

**Resolutional Analysis #2: Government Implied.** Agree with this one. It’s not a big point, and you’re going to have a hard time finding a way to argue this otherwise that a judge will like.

**Value & Value Link** - this case is value-centric, and thus the value is where you must totally destroy it. Attack the value specifically at the value link. There’s nothing inherently wrong with upholding purpose; it’s the idea that a purpose determines or limits what ought to be valued highest that you must take down. This idea is appealing, but it is incorrect. Consider this simple and relevant analogy (that I can’t take credit for; another debater in previous years used it): when you go into a debate round, your purpose for being in the room is to have a debate with another person. However, if a judge or the timer started choking, you and your opponent would obviously stop the round to intervene. Even though your purpose for being in the room was to have a debate round, that alone does not define what you ought to value highest. Purpose cannot determine what we value.

If you can successfully take down the value/value link combo, you’ve essentially killed the case.

**Contention 1: National Security is the Primary Purpose of Government.** Agree with this, but remind the judge that purpose doesn’t determine what you value highest.

**Contention 2: Freedom of the Press is a Privilege.** Again, it’s not the primary purpose of a government, but that doesn’t mean you can’t value it above national security.

As you’re refuting the contentions, this is a good place to reinforce whatever your philosophy is as the negative and restate *your* main points. Why is the resolution wrong? Now that you’ve taken down the affirmative, make it crystal clear why national security ought **not** be valued above freedom of the press. Do so throughout all of your refutation, not just when you give the case itself. This is a prime opportunity to do so.

To Print or not to Print

by Ciera Horton

In his monumental political pamphlet, Common Sense, the writer and activist Thomas Paine wrote on the role of government: “...Security being the true design and end of government, it unanswerably follows that whatever form thereof appears most likely to ensure it to us...is preferable to all others.”[[126]](#footnote-126)

Because I agree with Paine that national security is the true purpose and goal of government, I stand resolved: national security is more important than the freedom of the press.

Definitions:

National security: “protection of a nation from attack or other danger by holding adequate armed forces and guarding state secrets.”[[127]](#footnote-127)

Freedom of the press: “the right to publish newspapers, magazines, and other printed matter without governmental restriction and subject only to the laws of libel, obscenity, sedition, etc.”[[128]](#footnote-128)

Resolutional Analysis: The Freedom of Speech vs. Press

It’s important to note that the freedom of the press is a part of but still different than the freedom of speech. The freedom of speech and expression relates to the individual and the liberty to express themselves and state their opinions. The freedom of the press is the freedom to obtain and publish information or opinions, which is a guaranteed right in the first amendment. The press applies to all types of printed and broadcasted material. As the Affirmative speaker, I truly believe in the value and importance of the freedom of the press — however, I recognize that there are conditions where the press should be limited and there are times when something should not be printed. What is the standard? In regards to this resolution, I believe that when in conflict, the press does not take precedence over national security because it would violate the very purpose of government. We will further see this in my value.

Value: Protection of Citizens

What is the reason for upholding national security and what is our end result? The answer is the protection of citizens and stability for the government and nation as a whole. A government’s primary, utmost duty is to protect the citizens of their country, which fulfills government’s purpose as outlined through the social contract.

Criterion: Existing Preconditions

The government should have the ability to conceal information only with specific limiting preconditions: There must be either an existing or potential conflict that could bring harm to the nation’s citizens. The information the government conceals from the press and the public eye can only be that which pertains directly to either terrorist threats, military action or eminent danger. In the pursuit of safety and protection, national security takes precedence because it fulfills the intrinsic duties of government.

Contention One: National Security protects citizens

In 1931, the Supreme Court was faced with the landmark case of Near vs. Minnesota. The case was about whether or not newspapers could publish material that could be seen as malicious and scandalous. The Supreme Court ruled that the almost all forms of governmental restraint on the press were unconstitutional. However, they also ruled that one of the only exceptions was in cases of national security.[[129]](#footnote-129)

Why is this? Defamation is completely different than sharing state information that could jeopardize the safety of our nations’ citizens, as the Supreme Court ruled in 1931. They recognized that protecting national security fulfills a government’s primary duty to defend its citizens.[[130]](#footnote-130)

Contention Two: Disclosing information can harm citizens

Ideally, both national security and the freedom of the press would be balanced equitably; however, in the post 9/11 world, such idealism is often impossible. So the question really is: who has more power: does the government have the right to conceal or do the people have the right to know?

Philip Agee was a retired CIA agent in 1969. After his resignation, he published three books and started working for a magazine called Counterspy. His editorials included thousands of names of CIA employees and information on covert actions. In 1975, his magazine identified an undercover agent living in the country of Georgia, who was assassinated a month later, followed by the imprisonment of an American spy in Soviet Russia and several more attempts to kill U.S. agents working for the CIA. Because of Agee’s exposure of these spies, their work was compromised and the CIA reportedly had to shut down active assignments overseas.[[131]](#footnote-131) After this incident, the government made it illegal to publish information on covert agents because of security and safety reasons. Clearly, there must be a balance between protecting the freedom of the press and having limitations on what gets published, as it can not only cost precious lives but it can leave our nation vulnerable.

Contention Three: National security is more important

Truly, the best and only way to adequately resolve the tension between first amendment rights and the need to protect national security is to find as much balance as possible. However, when in conflict, the government must side with national security because it is a matter of protecting their citizens and fulfilling their ultimate purpose as outlined in the social contract.

Two senators from different political parties, Lindsey Graham and Charles Schumer, agree. They presented a legislative proposal saying that any subpoena for a journalist’s records should be decided by a judge and that there should be specific standards that show when material is considered a threat to national security: “In national security leak cases, demands for reporters’ phone or email records...would need to be approved by a judge under a strict legal standard. The judge would need to be convinced that there is a significant and articulable risk of future terrorism or harm to the national security and that the information sought would materially assist the government in preventing that risk.”[[132]](#footnote-132)

This is not to say that we should have expansive government power that will diminish our constitutional rights. We do not want to be coerced into silence—but we also don’t want another 9/11. In a situation where there is a genuine threat and potential terrorist danger to our citizens, we should side with the protection of our national security. Therefore, I stand resolved that national security is more important than the freedom of the press.

Negative Brief against Aff Case “To Print or not to Print”

By Ciera Horton

There are two main points to think about when examining this Affirmative.

1. What is the standard in this case? Who gets to decide what is a national security threat and why?
2. What is the real reason to go Affirmative? What do we gain?

Resolutional Analysis: You can address this by showing areas where the freedom of the press and the freedom of speech should not be different. Are people allowed to say whatever they want? Would someone be allowed to give a speech on information that could threaten national security? If so, why is that different than the press?

Value/Criterion: The protection of the citizens is subject to opinion. Is it better to be protected physically or to have knowledge of events and our freedoms protected? As for the criterion, who decides what the existing preconditions are and how they apply? As the Negative, you should provide an objective standard to counter this foundation in the Affirmative case.

Contentions: All of these contentions are based on the outcome. Citizens are protected by national security: outcome. Disclosing information harms the nation: outcome. Most of these arguments are not based on philosophical principles. The principle of this case is in the value.

Is importance or superiority determined by a tangible result? If not, show why your case is not result-based but is founded on principles.

Protect the President

by Travis Herche

“President Wilson ought to be killed. It is a wonder someone has not done it already. If I had an opportunity, I would do it myself." Saying you want to kill your neighbor is illegal. Saying you want to kill the president is treason. Naturally, the man who said those words was arrested and prosecuted.[[133]](#footnote-133) I think that was the right thing to do, which is why I am resolved: National security ought to be valued above freedom of the press.

Let’s start with two

Definitions

Macmillan Dictionary defines National Security as: “the protection or the safety of a country's secrets and its citizens.”[[134]](#footnote-134)

Freedom of the Press is defined by the reputable Lawyer.com’s glossary of legal terms based on Merriam-Webster’s Dictionary of Law 2001. It says that Freedom of the Press is: “the right to publish and disseminate information, thoughts, and opinions without restraint or censorship as guaranteed under the First Amendment to the U.S. Constitution”[[135]](#footnote-135)

The conflict in the resolution is a simple one: if we have to choose between keeping the American people safe or letting them say whatever they like, the resolution urges the former. To help you make that decision, I offer the

Value: Human Life

You can measure the relative worth of national security and freedom of the press based on how well they protect the lives of innocent human beings. This is a good value because of my

Value Link: Moral Imperative

The paramount importance of human life is a well-accepted ethical idea. Nothing matters to the dead. With life, everything else becomes possible. Perhaps most important, human life houses a sacred immortal soul.

Contention 1: National Security saves Lives

It should go almost without saying that measures taken to protect a country’s citizens save lives. That’s why we invest massive amounts of capital and volunteer soldiers heroically charge into harm’s way. Human life is the only thing worth that kind of sacrifice. This is proven in my

Application: Foiled Terror Plots

After the bombing of the World Trade Center and Pentagon - in which thousands of precious human lives were lost - we had to face the harsh fact that there are people in the world who hate us and have the ability to hurt us where we feel safest. Everything changed. We went to great lengths to make sure we were never hit like that again. And our efforts worked.

Last year, the Heritage Foundation listed no less than fifty plots that had been foiled by valiant American counter-terrorists.[[136]](#footnote-136) The list included planned shootings, bombings, and even the use of chemical and radioactive weapons. While the attacks in Fort Hood and Boston remind us that the threat hasn’t gone away, tens of thousands of people are alive today because national security was upheld.

Contention 2: Free Press endangers Lives

Like National Security, Freedom of the Press is guaranteed to citizens by the US Constitution. It serves many functions ranging from artistic to political. Ninety-nine percent of the time, there is no conflict between national security and freedom of the press. They can even complement each other at times. But in the rare instances when they do conflict, valuing free press over national security can lead to disaster. I have two common-sense applications to prove this.

Application 1: Threatening the President

Declaring your intention to kill the leader of the free world is never appropriate. It is crass and shocking. Most disturbingly, it is often sincere. The Secret Service arrests people who do that, charging them with a felony under US Code 18 Section 871.[[137]](#footnote-137) This is a common sense restriction on the freedom of the press. If you agree that the New York Times shouldn’t be allowed to run an article urging the assassination of the president, I hope you’ll vote affirmative.

Application 2: Military Blogs

Most of a soldier’s job is constant routine that has nothing to do with getting into a firefight. After a few months of that, many soldiers want to vent on their personal blogs - about a squadmate, about the food, about an overbearing officer. There’s nothing wrong with soldiers having blogs - unless they post security-sensitive information that puts them and others at risk. For that reason, the US Army requires that all soldiers posts be proof-read by a superior officer to ensure that they don’t feed valuable intel to the enemy.[[138]](#footnote-138) This is a common sense restriction on freedom of the press that helps keep everyone safe.

Again, national security and freedom of the press are 99% compatible. But in the few edge cases when we have to choose, we should choose the option that keeps innocent families alive. I’m willing to sacrifice the occasional obscene death threat or indiscrete blog post for that. If you are too, I hope you’ll side with me.

Negative Brief against Aff Case “Protect the President”

By Travis Herche

Aff Notes

This is a concise case with plenty of room to expand. Depending on where you want the debate to flow, fortify this case with additional value links (like “Primary Goal of Society”) or applications (like “Project PRISM” - an essential data gathering program that was revealed by the traitorous Edward Snowden and enabled by free press). By making the case your own, you communicate to the judge what’s important - and hopefully bait your opponent into spending a lot of time on it.

Having an encyclopedic[[139]](#footnote-139) knowledge of your applications is essential. Look up the relevant laws and regulations so you can answer cross-ex questions about them without hesitation.

Don’t attack free press - you’ll look like a nazi. Readily agree with your opponent that free press is great. Emphasize that the conflict in the resolution is extremely rare, but in those rare cases, we have to choose national security first or people will die. Laugh off your opponent’s warnings as paranoia. You’re not destroying free press; you’re just not letting it trample over innocent lives. You’re proposing rare, common-sense restrictions.

Pressure your opponent to take a clear position on your applications in cross-ex. “Should the New York Times be allowed to call for the death of the president?”

Neg Notes

Don’t get pulled into the aff applications. Urge the judge to focus on the big picture implications of supporting the resolution. Depending on how big your applications are, you may be able to directly concede the affirmative applications and claim that they are outweighed.

Whether or not you go that route, get the affirmative to admit in cross-ex that his applications represent rare, fringe instances. That’s an important part of his case, so he has to go along. But it’s also an admission you can use him in various ways - like the paragraph above.

Beat the aff at his own game by pointing out that your position doesn’t significantly compromise national security. For example, ask in cross-ex if limitations on free speech have ever foiled a terror plot. Respond to the Foiled Terror Plots application with “Non-Unique” - these foiled plots were all the result of good police and military work and had nothing to do with limiting the press.

Advanced debaters can try doing a wash turn (a fancy kind of application response) and talk about how press was used to fight the war on terror. For example, you could talk about embedded reporters in Iraq and Afghanistan. Free press is used as a weapon against terrorism.

Part 3: Negative Cases

Caught Red-Handed

By Drew Hepler

F is for Freedom

By Elizabeth Jacobs

Negative Objective

By Travis Herche

The Prevention of Tyranny

By Michael Patton

Freedom and Accountability

By Jesse Byrnes

Caught Red Handed

By Thomas Gray

“Power is no blessing in itself, except when it is used to protect the innocent.[[140]](#footnote-140)” It’s because I agree with author Jonathan Swift and believe that the rights of innocent people must at all times be respected that I stand resolved: **National Security ought not to be valued above the Freedom of the Press**.

Definitions

* **National Security** – “Measures adopted by the government of a nation in order to assure the safety of its citizens, guard against attack, and prevent disclosure of sensitive or classified information which might threaten or embarrass said nation.”[[141]](#footnote-141)
* **Freedom of the Press** – “Freedom to print or publish without government interference.”[[142]](#footnote-142)

Value

Obviously this debate is about whether national security or freedom of the press should be more highly valued. Now we could just throw these terms around and measure all the pros and cons of each one, but such a debate is meaningless. There has to be a standard for what is beneficial and what is harmful in this round. The standard I propose, or what debaters call my Value, is the **Protection of the Innocent**, operationally defined as “the defense of the rights of innocent people.”[[143]](#footnote-143) I’ll explain why you should prefer this value as the standard by which you judge this round in my value link.

Value Link: Protection of the innocent upholds the purpose of government.

It would be ridiculous to debate this resolution without a discussion of government. National security involves measures put in place by the government to protect the people, and the freedom of the press isn’t relevant unless there is a government that could restrict that freedom. Since we need to debate with a context of government, it is necessary to examine what the government needs to uphold, and use that standard to judge the freedom of the press and national security. That standard is the protection of the innocent.

Government was instituted to protect Human Rights. As Thomas Jefferson said, “The care of human life and happiness, and not their destruction, is the first and only legitimate object of good government.”[[144]](#footnote-144) So when a government considers any policy or any decision, including policies about the press or national security, the protection of the rights of innocent is the first consideration. If any policy is violating the rights of innocent civilians, that policy should be struck down, because it violates individual rights and does not uphold the purpose of government.

Criterion

So as we consider this resolution we must determine whether valuing national security or the freedom of the press best upholds the rights of the innocent. I believe that valuing the freedom of the press is the best way to ensure that rights are defended, which is why my Criterion is the **Freedom of the Press**. I’ll explain how the freedom of the press protects the innocent in my criterion link.

Criterion Link: Freedom of the press creates accountability

Having a free press means that the government cannot interfere with what the media chooses to print or broadcast. This often means that the press will relate information or opinions that the government officials would rather not have made public. The reason this is important is because this freedom serves as a check to the government. The people in power know that if they go through with a course of action that is unethical, the media can spawn a public response to that action.

One application of this concept came in the form of TSA full body scanners. TSA began using new scanners that utilized imaging technology that violated individuals’ right to privacy, although it did have the potential to detect weapons that might otherwise go unnoticed. This drew the ire of watchdog groups and the public. The controversy became a regular topic of discussion in the media, and eventually our government responded and mandated that TSA remove or reform the scanners. According to Fox News, “The full-body scanners that caused an uproar for taking semi-scandalous snapshots of fliers at security checkpoints have been removed from America's airports.”[[145]](#footnote-145)

The press is a mechanism that can protect innocent people from violations of their rights. While national security is necessary to any society, it cannot valued to the point that it violates the rights of innocent people. Because valuing the freedom of the press serves as a protective measure for innocent people everywhere, I ask for a negative ballot.

Affirmative Brief Against Negative Case “Caught Red Handed”

by Thomas Gray

Value & Value Link

The best way to deal with an all-inclusive value like Protection of the Innocent is to acknowledge it. Rather than try to point out why protection of the innocent is bad, focus more on your own value and why it is more essential to the resolution. So if your value is, say something like, “I agree that protecting the innocent is important, but we need to focus on protecting the *lives* of the innocent, because life is the most essential right.” Rather than waste time focusing on the negative value, acknowledge it, and then show why your value is more important.

Criterion

The freedom of the press is not always a guarantee that the rights of innocent people will be protected. In fact, it can be harmful to innocent people. One of the downsides of letting people speak their minds is that the things they say aren’t always very nice. In fact, some of the few restrictions on the press in America are libel laws, which prevent newspapers from slandering people in writing. Absolute freedom of the press would allow for these types of rights violations. We cannot say that because sometimes freedom of the press protects rights means it is more valuable, because this freedom sometimes harms those very same rights.

Criterion Link

While a free press is allowed to report on violations of the rights of the innocent, there is also no law requiring them to do so. Many times, the media can turn a blind eye to terrible things in this world. For example, while the media spent an inordinate amount of time reporting the demise and the return of Hostess Twinkies, there was relatively little time spent examining the causes of the Benghazi attack or the IRS partisan profiling during the 2012 elections. Just because rights are violated doesn’t mean that the press will actively try to protect those rights.

With reference to the TSA example, initially there was support on a national level for the full body scanners. According to a CBS News poll in November 2010, 81% of Americans approved of the scanners.[[146]](#footnote-146) This example may not be the hideous rights violation it’s made out to be. It could just be an overreaction to a necessary national security measure.

Overall, while the value is great, the criterion is where you can attack this case, because freedom of the press doesn’t always protect the innocent.

F is for Freedom:

(Also “Fun” but that is beside the point!)

By Elizabeth Jacobs

“The Press should be not only a collective propagandist and a collective agitator, but also a collective organizer of the masses.” ~ Vladmir Lenin

Because I believe the power of free speech is the key to I fighting oppression I stand in opposition to the resolution that “National security ought to be valued above freedom of the press.”

Before we jump into the issues at hand, let’s quickly examine the terms of the resolution.

1. **Freedom of the Press:** *Meriam Webster Dictionary,* “The right of publishing books, pamphlets, newspapers, or periodicals without restraint or censorship subject only to the existing laws against libel, sedition, and indecency.” [[147]](#footnote-147)
2. **National Security:** *The Macmillan Dictionary,* “The Protection or the safety of a country’s secrets and its citizens.” [[148]](#footnote-148)

To provide an external weighing mechanism I present the **value** of **Free Society.** A free society is a global culture that elevates the individual as the primary focus of the society. Essentially Free Society is founded on the belief that every individual should have freedom and opportunity, which is enabled by the government’s respect for the people.

**Reason To Prefer) Foundational Principle:** Everyone in this room is from a society that is founded on a set of principles. These principles have created societies that protect individual rights and maintain a long lasting and free society. A society I am proud to be a part of. As we explore the applications and details of the resolution we must realize the foundation to what we all believe, and that is a free society.

C1) Freedom of the Press Enables a Free Society

Application 1: *Otpor!*

During the late 1990s and early 2000s Serbia was trapped in the firm grasp of President Slobodan Milosevic. His reign over Serbia was marked by genocide, bombings, economic collapse, corruption, and complete disregard for human rights. The future seemed hopeless until a group of college students started a group called Optor or “resistance.” The success of this revolution was founded in the power of the press.

The people of Serbia latched onto the revolutionary ideas spread through street art, pamphlets, and other literature. As the revolution came to a head, Milosevic attacked the press. Radio stations and newspapers were fined heavily. Tax inspectors and police visited the stations daily to levy more fines. Journalists found their houses and cars burnt to the ground. The government took over the only non-government funded radio station, B2-92, to further its agenda of propaganda. This was all to no avail because on October 7, 2000 Milosevic accepted defeat to mass numbers of protestors demanding freedom.

This would have been impossible without radio stations, newspapers, and pamphlets filling the streets. National Security attempted to trample freedom of the press so the corrupt government could stay in power. When freedom of the press is the highest value, we are ensured a free society.

Application 2: *Egypt*

Some people tweet about what they ate for breakfast, some people tweet about music, movies, or even TV Shows. In the United States we browse twitter to be amused. This was not the case in Egypt. 140 characters from an onlooker to the mayhem in Egypt could cause earth-shattering backlash to the imperialistic government.

The use of twitter, Facebook, YouTube and even Google to spread the truth of oppression was one of the greatest obstacles to the former government in Egypt. At the beginning of the revolution in January 2011, the first instinct of the government in Egypt was cut off the Internet from entire cities.[[149]](#footnote-149) The government effectively cut of 88% of Egyptian internet access.[[150]](#footnote-150) They followed up by ordering police to attack journalists and protestors. The crackdown on the press and communication of truth was vital to keeping the security of the government.

There is a direct link to the chaos in the streets and the crackdown in the government. The more the police stomp on the freedom of press to provide security, the more the Egyptian society fell from freedom.

Application 3: *North Korea*

Imagine your life in an alternate dimension. A dimension where the internet is so controlled it can hardly be called the internet. All ads, news articles, and websites are run by government propaganda. Only a handful of families enjoy luxuries such as Twitter, Facebook or Google. If you are caught trying to access such websites the government will tear down your door and punish you to the full extent of the law.

This is the reality for the citizens of North Korea. Internet censorship has reached an all-time high of ridiculousness in North Korea. For example, there is an embedded code in the web browser that recognizes when Kim Jong Un’s name is used and it makes it slightly larger than the rest of the text.[[151]](#footnote-151) People are calling this internet censorship “The Mosquito Net” because it filters almost everything coming in and out of the country.

Now That we have seen why Freedom of the Press is vital to maintain a free society, let’s look at my opponent’s case.

Affirmative Brief against Negative Case “F is for Freedom”

by Elizabeth Jacobs

General Concept:

This case wields all its power in applications and presupposed bias. Most of your judges will be conservative and if not conservative, they will most likely be American. As much as we critique our country, we are all proud to be American. That’s exactly the bias this case latches onto. It lets the judge vote for “’murica” and maintains logical coherence. The applications are full of impact and persuasive language that will remind the judge of apple pie and American flags. Once you figure that out, you get to kill it everywhere bias fails.

Value:

Even though this case is very application-centric, the value plays an important role. You have two options to take down the value. (1) You can proclaim western hegemony. Indignantly mention that while “free” cultures are the ones we are most familiar with, there are many other cultures that are still viable and respectable. The negative will just come back and deny it, speak highly of freedom, and call it good. (2) So I would recommend the second approach. Argue that yes, Free Society is important, but we need something more specific to obtain it. There are so many components that make up a free civilization, and that is what we have to look at. Suddenly your value is the more specific, logical way to view the round.

Applications:

1. **Optor!:** I really love this application, but just like all applications there are some quick and easy ways to take it down. The best way to get rid of this application would be to run a wash turn. Point out that Serbia was most certainly not secure before the revolution. There were major economic problems in the country, NATO bombings, and regional war. After correcting the negative, turn the application by pointing out that Serbia still has many problems to work through. The people may be able to listen to their favorite radio station now, but since the nation is still not secure, the revolution has been longs since forgotten.
2. **Egypt:** This application could be great, but at this point it is underdeveloped. Take advantage of that and pure turn it. Since January 2011 Mubarak has been overthrown and Egypt is back to a place of Free Press. Still, we look at Egypt as a country *deep* in turmoil. They have a myriad of devastating problems. National Security needs to be upheld for freedom of the press to have any impact.
3. **North Korea:** You should be glad the negative brought this up simply because now you can make North Korea jokes. Wash turn this application by pointing out the nation is not secure. North Korea undervalues freedom of the press and damages its own national security with its ridiculous policies. Remove the link between the press and oppression. Pull some impacts of your own by weighing people not being able to tweet their favorite breakfast food and the thousands of people underpayed, and well below the poverty level that are suffering because of the lack of national security and economic prosperity.

Negative Objective

By Travis Herche

Let me begin by restating the exact wording of the resolution. It says:

**“Resolved: National security ought to be valued above freedom of the press.”**

While the intent behind this resolution is noble, and in some occasional cases it can actually be upheld, I object to generally valuing national security above freedom of the press. The truth is not that simple.

The resolution is false because it cannot be true. I will prove this using a series of four points. Because the flaw in the resolution is so fundamental, the statement cannot really be measured - which means there is no need for a value. I neither accept nor reject my opponent’s value.

My first point:

Thesis: Not a Rule of Thumb

It is true that sometimes, national security should be valued above freedom of the press. My opponent did a good job of proving that. However, he did not prove that this is *always* or even *usually* the case. This is because the resolution cannot be affirmed as a rule of thumb. There are many instances when freedom of the press should be valued higher and some instances where they are equal.

Let me give you an example of what I mean.

Application) Project PRISM

In what is considered one of the greatest acts of treason in American history, Edward Snowden recently defected from the NSA and revealed details on several top-secret surveillance programs - including Project PRISM. Needless to say, the intelligence community is calling for Snowden’s head. But is what he did really treason? Did he betray his country, or save it?

To answer that question, we need to take a deeper look at Project PRISM. Last July, Verge Magazine released a detailed review of the program. It explained the widespread, systematic collection of info from almost every major information company - including Google, Yahoo, and Microsoft. Here’s an excerpt of the report: “A leaked court order provided by Snowden showed that Verizon is handing over the calling records and telephony metadata of all its customers to the NSA on an ‘ongoing, daily basis.’”[[152]](#footnote-152)

This is very disturbing news. Informing the American people about it easily outweighs the damage done to our information-gathering networks; in fact, damaging this insidious network can be considered one of its primary benefits. Knowledge is power. Due process is an essential limit on the power of the government. Programs like PRISM violate due process and set us on the fast track to tyranny. In valuing freedom of the press over national security, Snowden safeguarded American society for future generations.

The bottom line here: choosing national security over freedom of the press can be appropriate in some fringe cases, but it is not a general rule. Sometimes, the exact opposite is required.

My second point is a

Conflict: Rule vs Occasional

The resolution is presented as a general rule. In other words, my opponent is asking you to believe that, in the majority of situations, the resolution is true. That’s what he needs to prove to you to affirm this resolution. A handful of applications is not sufficient to prove something this broad. So going forward, I want to make sure that it’s very clear what our respective duties are: my opponent’s is to bring forward a universal justification for his position and to refute my applications, while my duty is to convince you that we cannot make a general statement about national security and freedom of the press.

My third point is the

Alternative: Case-by-Case

The truth is complicated. Sometimes, the resolution is true. Other times, it isn’t. Rather than making a reckless blanket statement, we need to make decisions about national security and freedom of the press on a case-by-case basis.

Application: Declassification.

Every nation in the world has military secrets - like missile defense programs or experimental tank weapons. Revealing such programs today could jeopardize the safety of the nation’s citizens. But on the other hand, information on those programs needs to eventually be revealed for posterity - so we can learn from history and avoid repetition of mistakes.

Rather than a general rule - like never declassifying documents, or automatically doing it after 10 years - documents are declassified on a case-by-case basis. In the US, special exceptions can be made to extend the classification of a program for as long as 75 years. This gives us the flexibility to reveal things to the public the instant doing so is beneficial - no sooner and no later. That’s the appropriate balance to strike between national security and freedom of the press.

Impact: Resolution cannot be Affirmed

If the resolution said: “It can be okay in some instances to value national security over freedom of the press,” I would have no qualms about it. But simply saying “national security ought to be valued above freedom of the press” - with no exceptions, no qualifications, no conditions - is reckless. Worse, affirming that logic puts citizens in danger because it over-empowers the government. It actually prevents the government from making case-by-case decisions about informing the public.

We ought not to throw a black blanket over every aspect of national security. The truth is complicated, but it is understandable and it clearly points to a negation of the resolution. Thank you.

Affirmative Brief against Negative Case “Negative Objection”

by Travis Herche

Is a resolutional objection, a special kind of negative case in which you argue that the resolution is not true because it cannot be true. It’s like an alibi in a criminal case: “My defendant can’t be guilty because he wasn’t in town when the crime occurred.”

Two keys to running this objection correctly: first, thoroughly acknowledge to the judge that your case isn’t what he expected. “I know most negatives will run values and contentions, but the problem with the resolution is so basic that it can’t even be measured.”

Second: leverage the full benefit of this case. It gives you a huge strategic edge because you don’t have to directly refute the affirmative. Don’t run point-by-point responses. Openly accept the aff applications and cross-apply your Alternative. Your point is that the affirmative case doesn’t give a broad justification for the resolution; it only proves that the resolution can be true sometimes.

The Prevention of Tyranny

By Michael Patton

President and Founding Father, George Washington once said, ”If the freedom of speech is taken away, then dumb and silent we may be led like sheep to the slaughter.”[[153]](#footnote-153) Through this quote, Washington established that the press is essential because it keeps the government in check. If freedom of the press is taken away, it opens a door for tyranny in government. Because I agree with him, I stand **Resolved:** [That] National security ought NOT be valued above freedom of the press.

Definitions:

National: “of, involving, or relating to a nation as a whole” (Collin’s English Dictionary)[[154]](#footnote-154)

Security: “Freedom from risk or danger; safety.” (American Heritage Dictionary)[[155]](#footnote-155)

**Value:** My value is **The General Welfare**, operationally defined as, “The safety and good of society”

**Anti-Criterion:** In order to measure my value, I present the anti-criterion of **Tyranny**. Tyranny is defined by the American Heritage Dictionary as, “Unjust or oppressive governmental power”.[[156]](#footnote-156) An anti-criterion may sound complicated, but it’s essentially something that must be prevented if the value is going to be upheld. In order to uphold the general welfare, tyranny must be prevented. Tyranny ought to be stopped for two reasons.

Criterion-Link 1: Tyranny is a Tremendous Threat

Many people assume that the greatest threat to the safety and well-being of a society comes from a foreign entity. However, one of the most powerful threats to the citizen’s welfare can arise from within the government of that society. Don’t get me wrong, government is necessary and beneficial, but the government needs to be held accountable for its decisions and conduct. Many times, pursuing national security can become an opportunity for leaders to seize power, causing tyranny to occur. By restricting the press from reporting issues, the government loses its accountability partner. It becomes free to act as it pleases, which leads to tyranny.

President James Madison said, “The means of defense against a foreign danger historically have become the instruments of tyranny at home.”[[157]](#footnote-157)

Some of the greatest nations fell largely because of tyranny. The fall of the Roman Empire is an excellent example.

Edward Gibbon, a philosopher and a Member of the English Parliament, documented that towards the end of the Roman Empire, the people of Rome relinquished power to the government. He noted that the welfare of millions of people was placed in the hands of one or two rulers. Unfortunately, these men were primarily concerned with their own pleasure. Provinces were being attacked by barbarians, yet the leaders did nothing because they were busy pursuing their desires.[[158]](#footnote-158)

Criterion-Link 2: Freedom from Tyranny Promotes Security

If government is held accountable, it’s likely that responsibilities and boundaries will be maintained. This will prevent complacent leadership and tyranny, as seen in the example of the Roman Empire.

If a person or a group of people revealed the injustices that were occurring within the Roman government, the leaders may have changed their actions. They would’ve taken effective military action to fight the barbarians, which would’ve promoted National Security and the General Welfare.

In the interest of defending the General Welfare I present the following contention:

Contention: Freedom of the Press Prevents Tyranny

As we established earlier, freedom of the press prevents tyranny because it holds the government accountable. When the United States was established, the founding fathers knew that they needed to uphold the general welfare of America by preventing tyranny. Because they realized the gravity of the issue, the First Amendment says, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press;”[[159]](#footnote-159)

Through the First Amendment, the press has prevented tyranny, as seen in the Watergate Scandal.

In his book, *Eyewitness to Power*, David Gergen (a former White House advisor to four Presidents and a professor at Harvard University) documented that the press was responsible for uncovering the Watergate Scandal. Bob Woodward, a reporter for the *Washington Post*, unveiled the issue when an individual in government divulged the secretive information. In his book, Gergen suspected that the person may have reported the issue to the press rather the CIA or FBI for fear of his personal safety and a federal cover-up. When the government overstepped its boundaries, the press was there to provide accountability.[[160]](#footnote-160)

Before I end, I want to leave you with this final quote by James Madison. He said, ”If tyranny and oppression come to this land, it will be under the guise of fighting a foreign enemy." [[161]](#footnote-161)Because tyranny can occur when the government chooses to pursue national security by limiting freedom of the press, I urge the judge to cast a negative ballot at the end of today’s round.

Affirmative Brief against Negative Case “The Prevention of Tyranny”

By Michael Patton

Value: The General Welfare

1. The Affirmative will likely have a value that is similar to the general welfare. Therefore, the affirmative should accept the value and show how he/she can uphold the value better than his/her opponent can through pursuing national security.

Anti-Criterion: Tyranny

1. The main problem with this case is that it assumes that if the press is limited, tyranny will occur. The case never provided an example of how a government was pursuing national security by limiting freedom of the press and became tyrannical. If the government of a nation is truly pursuing national security, tyranny shouldn’t be a problem. When the government fulfills its purpose through pursuing national security, it won’t compromise because it should have integrity. It’s possible for leaders to use national security as an excuse to take power, but if the leaders are acting for the good of their people, tyranny should be a non-issue.

Criterion-Link 1: Tyranny is a Tremendous Threat

1. Tyranny is a threat, but it isn’t a bigger threat than foreign powers (ie. Nazi Germany was the biggest threat to many small countries during WWII).

2. Rome doesn’t apply because Rome wasn’t limiting freedom of the press in order to pursue national security.

Criterion-Link 2: Freedom from Tyranny Promotes Security

1. Just because a nation has a government that is committing tyranny doesn’t mean that it isn’t secure internationally. In the 18th century the British government was very powerful and England was nearly invincible even though their government was committing tyranny.

Contention: Freedom of the Press Prevents Tyranny

1. The press prevents can tyranny, but also it can easily overstep its bounds. If it isn’t kept in check in some way, the public will be endangered.

2. The press isn’t interested in preventing tyranny; they’re interested in getting a better story than their competition. How can we trust the press to prevent tyranny when they are only concerned with getting a better story so they can make more money?

Freedom and Accountability:   
A Viable Solution for a Pressing Issue

By Jesse Byrnes

Compromised intelligence resources, devastating geopolitical impacts, human death. That’s what the United States government warns can result when government secrets are made public. As a result, the U.S. government has made every attempt to squelch intelligence leaks. Still, an unprecedented number of cases brought against government leakers by the Obama administration and unjustified scrutiny for those that report on such information have led not to greater levels of national security but to a climate of fear, hostility, and government abuse – all at the cost of freedom. Because of this, I stand against the resolution: “Resolved: National security ought to be valued above freedom of the press.”

Value

Today I will be advocating the value of **Government Accountability.** Government, according to the *Compact Oxford English Dictionary*, is “the group of people who govern a state; the system by which a state or community is governed.”[[162]](#footnote-162) Being accountable, from the same source, means being “responsible for one’s actions and expected to explain them.”

Criterion

In order to hold the people and system of government authority accountable, I propose the criterion of **Press Freedom**. According to *Webster’s New World Law Dictionary,* Freedom of the Press or Press Freedom is defined as “The right, guaranteed by the First Amendment to the United States Constitution to publish and distribute information in books, magazines, and newspapers without government intervention.”[[163]](#footnote-163)

Resolutional Analysis

Consider how this resolution might have gone: “*Government’s legitimacy* is determined more by its respect for national security than freedom of the press”; “*In pursuing justice*, national security ought to be valued above freedom of the press”; “National security is superior to a free press *as a means of protecting democracy*.” Any or all of those are at best reasonable and at worst debatable. But the affirmative position on this resolution, “National security ought to be valued above freedom of the press,” is neither reasonable nor debatable. In no sense should “national security” be valued above press freedom. It’s a bad precedent and it’s wrong for America and other nations. Here are some reasons why:

Main Points

1. Press Freedom is first and foremost a Constitutional right

In addition to religious freedom, free speech, and the right to assemble peacefully, the First Amendment guarantees that “Congress shall make no laws … abridging the freedom … of the press.” Our Founding Fathers, like Thomas Jefferson, understood that Press Freedom was essential for keeping the government accountable and protecting basic liberties. Jefferson knew that limiting that freedom meant losing that freedom: “Our liberty depends on the freedom of the press, and that cannot be limited without being lost.”

2. A free press is a good press for government accountability

From pamphlets and posters to bloggers and tweeters, the press over the ages has been defined not as much by medium but by the amount of freedom. In terms of protecting civil liberties, a shadowy government is just as bad as a restricted press, and with a restricted press an unaccountable government surely exists. “[A free press can, of course, be good or bad,](http://www.brainyquote.com/quotes/quotes/a/albertcamu156596.html)[” said the French Nobel Prize-winning author and journalist Albert Camus, “](http://www.google.com/url?q=http%3A%2F%2Fwww.brainyquote.com%2Fquotes%2Fquotes%2Fa%2Falbertcamu156596.html&sa=D&sntz=1&usg=AFQjCNG4ymA0wJxYlVSmWgLnSMOieGPHgg)but, most certainly without freedom, the press will never be anything but bad.”[[164]](#footnote-164) With a free press, the spotlight turns on and the ever-elusive campaign promises of government transparency finally become a reality.

3. Under national security, anything goes

Whether justifying TSA scanners, accessing phone records for Associated Press journalists or placing wiretaps through the PATRIOT Act, “national security” has become a catch-all for a large part of government interference and intervention, both foreign and domestic. The recent National Security Agency data dragnet code-named PRISM allows the government access to nearly all online and electronic communication, including email, text messages and Facebook. The program, with the help of leaker Edward Snowden, was brought to light by The Washington Post and The Guardian newspapers. Still, the practice – along with many others that threaten civil liberties – continues.

Conclusion

Press Freedom is essential to a free society with open communication. Not only does a restricted press mean no press, but limits on that freedom lead to less government transparency and accountability. This is not the time to do what you want and call it “national security.” Today is not the day to give up freedom and hand over our civil liberties. We live in an age of fear and hostility, but today we can change that. Stand for press freedom and against government abuse. Vote for the negative.

Affirmative Brief against Negative Case “Freedom and Accountability”

by Jesse Byrnes

Value & Criterion

Government accountability is great, but would the negative contend that our government is more or less accountable than previous administrations? At the same time, do we have more or less freedom in communication? Instead of a few major TV networks and newspapers, citizens have a plethora of online options and countless new material via social networks like Facebook and Twitter. If the government has become less accountable while new media has flourished, then press freedom is less important than the negative will have you believe (or the government has become exponentially more corrupt).

1. Press Freedom is first and foremost a Constitutional right

Sure, that’s obvious. But isn’t our government supposed to also “provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity”? National security means each person making compromises so that everyone can be safe and live in peace. And merely saying that national security is more important that press freedom doesn’t mean that freedom of the press is no longer a Constitutional right, just that it takes a backseat to security.

2. A free press is a good press for government accountability

This essentially argues for the freedom component of the press. General arguments against the operational value of freedom can be used here. Are there limits to the amount of freedom one can exercise? Within reason, wouldn’t protecting your life be a good limit on freedom? Etc.

3. Under national security, anything goes

False. Hasty generalization based on a few examples of bad justification. Besides, all those things have made the U.S. *more* safe (you’re on your own for supportive research here) and when Americans are safer they can pursue things like blogging, writing and tweeting.

Think: What are some instances where press freedom *promoted* national security? Can it?

1. *The Development of Freedom of the Press in Massachusetts,*. Vol. 12. Norwood, Mass.: Norwood, 1906. 63-64. Web. 16 July 2013. <http://books.google.com/books?id=EPyRufznWCsC&printsec=frontcover&source=gbs\_ge\_summary\_r&cad=0#v=onepage&q&f=false>. [↑](#footnote-ref-1)
2. United States. *Bill of Rights*. By James Madison. New York: n.p., 1789. *Archives.gov*. Web. 16 July 2013. <http://www.archives.gov/exhibits/charters/bill\_of\_rights\_transcript.html>. [↑](#footnote-ref-2)
3. United States. Continental Congress. *An Appeal to the Inhabitants of Quebec*. Digital History, n.d. Web. 17 July 2013. <http://www.digitalhistory.uh.edu/disp\_textbook.cfm?smtID=3&psid=4104>. [↑](#footnote-ref-3)
4. Volokh, Eugene, B.S., J.D. "Freedom of Speech and of the Press." *Heritage.org*. The Heritage Foundation, n.d. Web. 17 July 2013. <http://www.heritage.org/constitution#!/amendments/1/essays/140/freedom-of-speech-and-of-the-press>. [↑](#footnote-ref-4)
5. "First Amendment - Freedom of the Press." *Free Legal Encyclopedia: Filiation Proceeding to Freedom from Encumbrance*. Law Library - American Law and Legal Information, n.d. Web. 19 July 2013. <http://law.jrank.org/pages/6906/First-Amendment-Freedom-Press.html#ixzz2YrgpZ5Up>. [↑](#footnote-ref-5)
6. Hanyok, Robert J. Rev. of *Secrets of Victory: The Office of Censorship and The American Press and Radio in World War II*. n.d.: n. pag. *Cia.gov*. Central Intelligence Agency, 14 Apr. 2007. Web. 18 July 2013. <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol46no3/article10.html#author1>. [↑](#footnote-ref-6)
7. Smyth, Daniel J. "Vietnam War." *Freedom of the Press and National Security in Four Wars: World War I, World War II, The Vietnam War, and the War on Terrorism*. Ann Arbor, MI: ProQuest Information and Learning, 2008. 85-87. Print. [↑](#footnote-ref-7)
8. "Pentagon Papers." *Britannica.com*. Encyclopedia Britannica, n.d. Web. 19 July 2013. <http://www.britannica.com/EBchecked/topic/450326/Pentagon-Papers>. [↑](#footnote-ref-8)
9. Dershowitz, Alan. *BrainyQuote.com*. BrainyQuote.com, n.d. Web. 19 July 2013. <http://www.brainyquote.com/quotes/quotes/a/alandersho449307.html>. [↑](#footnote-ref-9)
10. "Afghan War Diary, 2004-2010." *Wikileaks.org*. WikiLeaks, 25 July 2010. Web. 19 July 2013. <http://wikileaks.org/wiki/Afghan\_War\_Diary,\_2004-2010>. [↑](#footnote-ref-10)
11. Calabresi, Massimo. "WikiLeaks' War on Secrecy: Truth's Consequences." *Time.com*. Time Magazine, 2 Dec. 2010. Web. 19 July 2013. <http://www.time.com/time/magazine/article/0,9171,2034488,00.html>. [↑](#footnote-ref-11)
12. "National Security." Macmillan Dictionary. Macmillan Publishers Limited, n.d. Web. 10 July 2013. <<http://www.macmillandictionary.com/us/dictionary/american/national-security>>. [↑](#footnote-ref-12)
13. United States. US Department of Defense. The Free Dictionary (citing the Dictionary of Military and Associated Terms). Farlex, n.d. Web. 10 July 2013. <<http://www.thefreedictionary.com/national+security>>. [↑](#footnote-ref-13)
14. Oladipo, B. Stephen. "Conflict, Global Peace & Security: The Role of Civil Defence."Asian Journal of Management Sciences and Education January 2013 2.1 (2013): 80-88. Web. 10 July 2013. <<http://www.ajmse.leena-luna.co.jp/AJMSEPDFs/Vol.2(1)/AJMSE2013(2.1-07).pdf>>. [↑](#footnote-ref-14)
15. "Freedom of the Press." West's Encyclopedia of American Law. The Free Dictionary by Farlex, n.d. Web. 10 July 2013. <<http://legal-dictionary.thefreedictionary.com/Freedom+of+the+Press>>. [↑](#footnote-ref-15)
16. "Freedom of the Press." Merriam-Webster. Merriam-Webster, Incorporated, n.d. Web. 10 July 2013. <<http://www.merriam-webster.com/dictionary/freedom%20of%20the%20press>>. [↑](#footnote-ref-16)
17. "Freedom of the Press." Def. 1. Oxford Advanced Learner's Dictionary. Oxford University Press, n.d. Web. 10 July 2013. <<http://oald8.oxfordlearnersdictionaries.com/dictionary/freedom-of-the-press>>. [↑](#footnote-ref-17)
18. "Stanford University." Stanford Encyclopedia of Philosophy. Stanford University, 19 Dec. 2005. Web. 10 July 2013. <<http://plato.stanford.edu/entries/rights/>>. [↑](#footnote-ref-18)
19. "Value." Def. 2. Oxford Dictionaries. Oxford University Press, n.d. Web. 10 July 2013. <<http://oxforddictionaries.com/definition/american_english/value>>. [↑](#footnote-ref-19)
20. "National Security." *Wikipedia*. Wikimedia Foundation, 07 Nov. 2013. Web. 19 July 2013. <http://en.wikipedia.org/wiki/National\_security>. (Note: Do not use Wikipedia as a credible source.) [↑](#footnote-ref-20)
21. "Center for Civic Education Home." *Center for Civic Education Home*. N.p., n.d. Web. 19 July 2013. <http://www.civiced.org/index.php>. [↑](#footnote-ref-21)
22. "OPSEC Terms and Definitions -OSPA." *OPSEC Terms and Definitions -OSPA*. N.p., n.d. Web. 19 July 2013. <http://www.opsecprofessionals.org/terms.html>. [↑](#footnote-ref-22)
23. Kilian, Crawford. "The Tyee – PoliticianSpeak: Help Write the Dictionary." *The Tyee*. N.p., 25 Mar. 2011. Web. 19 July 2013. <http://thetyee.ca/Life/2011/03/25/PoliticianSpeak/>. [↑](#footnote-ref-23)
24. Faulconbridge, Guy, and Michael Holden. "Michael Adebolajo, Alleged London Attacker, British Citizen Of Nigerian Origin, Source Says." *The Huffington Post*. TheHuffingtonPost.com, 23 May 2013. Web. 19 July 2013. <http://www.huffingtonpost.com/2013/05/23/michael-adebolajo-london-attacker\_n\_3324428.html>. [↑](#footnote-ref-24)
25. Zuckerman, Jessica, Steven P. Bucci, Ph.D., and James J. Carafano. "60 Terrorist Plots Since 9/11: Lessons in Domestic Counterterrorism." *The Heritage Foundation*. The Heritage Foundation, 22 July 2013. Web. 23 July 2013. <http://www.heritage.org/research/reports/2013/07/60-terrorist-plots-since-911-continued-lessons-in-domestic-counterterrorism>. [↑](#footnote-ref-25)
26. Mandelbaum, Michael, Ph.D. "David's Friend Goliath." Foreign Policy. N.p., 4 Jan. 2006. Web. 25 July 2013. <http://www.foreignpolicy.com/articles/2006/01/04/davids\_friend\_goliath?page=0,1>. [↑](#footnote-ref-26)
27. Reeves, Eric. "The Collapsing Sudanese Economy." *- Sudan Tribune: Plural News and Views on Sudan*. Sudan Tribune, 28 May 2013. Web. 25 July 2013. <http://www.sudantribune.com/spip.php?article46747>. [↑](#footnote-ref-27)
28. "Benjamin Franklin." BrainyQuote.com. Xplore Inc, 2013. 26 July 2013. http://www.brainyquote.com/quotes/quotes/b/benjaminfr136955.html [↑](#footnote-ref-28)
29. *The United States' War on Yemen: Drone Attacks*. Rep. Alkarama Foundation, 3 June 2013. Web. 26 July 2013. <http://en.alkarama.org/documents/ALK\_USA-Yemen\_Drones\_SRCTwHR\_4June2013\_Final\_EN.pdf>. [↑](#footnote-ref-29)
30. "Value." *Collinsdictionary.com*. Collins, n.d. Web. 15 July 2013. <http://www.collinsdictionary.com/dictionary/english/value>. [↑](#footnote-ref-30)
31. "Value." *Macmillan Dictionary*. Macmillan Publishers Limited, n.d. Web. 15 July 2013. <http://www.macmillandictionary.com/dictionary/american/value\_31>. [↑](#footnote-ref-31)
32. "Value." *Yourdictionary.com*. LoveToKnow, Corp., n.d. Web. 15 July 2013. <http://www.yourdictionary.com/value>. [↑](#footnote-ref-32)
33. "Value." *1828.mshaffer.com*. N.p., n.d. Web. 15 July 2013. <http://1828.mshaffer.com/d/word/value>. [↑](#footnote-ref-33)
34. *Braveheart*. Dir. Mel Gibson. Perf. Mel Gibson, Sophie Marceau, Patrick McGoohan, and Catherine McCormack. Paramount Pictures, 1995. DVD. [↑](#footnote-ref-34)
35. "Bill of Rights Transcript Text." *The Charters of Freedom*. The Charters of Freedom, n.d. Web. 30 July 2013. <<http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html>>. [↑](#footnote-ref-35)
36. "Declaration of Independence - Text Transcript." *The Charters of Freedom*. The Charters of Freedom, n.d. Web. 30 July 2013. <<http://www.archives.gov/exhibits/charters/declaration_transcript.html>>. [↑](#footnote-ref-36)
37. "About Freedom of the Press." *First Amendment Center*. First Amendment Center, n.d. Web. 30 July 2013. <<http://www.firstamendmentcenter.org/about-the-first-amendment>>. [↑](#footnote-ref-37)
38. "Freedom of Speech and Freedom of Press." *Freedom of Speech and Freedom of Press*. Lincoln University, n.d. Web. 30 July 2013. <<http://www.lincoln.edu/criminaljustice/hr/Speech.htm>>. [↑](#footnote-ref-38)
39. "Alien and Sedition Acts (1798)." *Www.ourdocuments.gov*. Our Documents, n.d. Web. 30 July 2013. <<http://www.ourdocuments.gov/doc.php?flash=true>>. [↑](#footnote-ref-39)
40. Gergen, David. *Eyewitness to Power: the essence of leadership: Nixon to Clinton*. New York, NY: Simon & Schuster, Inc., 2000. Print. [↑](#footnote-ref-40)
41. "The Watergate Story." *WP Politics*. The Washington Post, 1996. Web. 30 July 2013. <<http://www.washingtonpost.com/wp-srv/politics/special/watergate/part1.html>>. [↑](#footnote-ref-41)
42. Ross, Gary. *Who Watches the Watchmen?* Washington, DC: National Intelligence University, 2011. Print. [↑](#footnote-ref-42)
43. Shane, Scott. "There Are Leaks and Then There Are Leaks." *Week in Review*. The New York Times, 2006. Web. 30 July 2013. <<http://www.nytimes.com/2006/04/30/weekinreview/30shane.html?_r=2&>>. [↑](#footnote-ref-43)
44. Ross, Gary. *Who Watches the Watchmen?* Washington, DC: National Intelligence University, 2011. Print. [↑](#footnote-ref-44)
45. "Pentagon Papers (United States History)." *Encyclopedia Britannica Online*. Encyclopedia Britannica, n.d. Web. 15 July 2013. [↑](#footnote-ref-45)
46. United States Constitution [↑](#footnote-ref-46)
47. Volokh, Eugene, and Gary T. Schwartz. "The Heritage Guide to The Constitution."*Guide to the Constitution*. The Heritage Foundation, n.d. Web. 15 July 2013. [↑](#footnote-ref-47)
48. Milovanovich, Zoran, Dr. "Freedom of Speech and Freedom of Press." *Freedom of Speech and Freedom of Press*. Lincoln University, n.d. Web. 15 July 2013. [↑](#footnote-ref-48)
49. Cohen, Henry. "Freedom of Speech and Press: Exceptions to the First Amendment." *Fas.org*. Federation of American Scientists, n.d. Web. 15 July 2013. [↑](#footnote-ref-49)
50. "Pentagon Papers (United States History)." *Encyclopedia Britannica Online*. Encyclopedia Britannica, n.d. Web. 15 July 2013. [↑](#footnote-ref-50)
51. Cohen, Henry. "Freedom of Speech and Press: Exceptions to the First Amendment." *Fas.org*. Federation of American Scientists, n.d. Web. 15 July 2013. [↑](#footnote-ref-51)
52. "The Edward R. Murrow Center of Public Diplomacy." *Fletcher.tufts.edu*. The Fletcher School: Tufts University, n.d. Web. 18 July 2013. [↑](#footnote-ref-52)
53. Quist, Arvin S. "Security Classification of Information, Volume 2 (Quist), Chapter Seven."*Fas.org*. Federation of American Scientists, Apr. 1993. Web. 26 July 2013. [↑](#footnote-ref-53)
54. Lewis, Jeremy, PhD. "Freedom of Information Laws and Policies:." *Huntingdon.edu*. Huntingdon University, 21 June 2012. Web. 18 July 2013. [↑](#footnote-ref-54)
55. Quist, Arvin S. "Security Classification of Information, Volume 2 (Quist), Chapter Seven."*Fas.org*. Federation of American Scientists, Apr. 1993. Web. 26 July 2013. [↑](#footnote-ref-55)
56. Quist, Arvin S. "Security Classification of Information, Volume 2 (Quist), Chapter Eight."*Fas.org*. Federation of American Scientists, Apr. 1993. Web. 26 July 2013. [↑](#footnote-ref-56)
57. Ibid [↑](#footnote-ref-57)
58. Quist, Arvin S. "Security Classification of Information, Volume 2 (Quist), Chapter Three."*Fas.org*. Federation of American Scientists, Apr. 1993. Web. 26 July 2013. [↑](#footnote-ref-58)
59. https://www.google.com/search?q=define+ought&sugexp=chrome,mod=10&sourceid=chrome&ie=UTF-8#q=ought&tbs=dfn:1&tbo=u&sa=X&ei=8wL4Ua3vJZTYyQHH14CQBw&ved=0CC4QkQ4&bav=on.2,or.r\_cp.r\_qf.&bvm=bv.49967636%2Cd.aWc%2Cpv.xjs.s.en\_US.jOYpRJj4zMA.O&fp=fd176420e88cb8d7&biw=1280&bih=679 [↑](#footnote-ref-59)
60. "Purpose." *Dictionary.com*. Dictionary.com, n.d. Web. 28 July 2013. <http://dictionary.reference.com/browse/purpose?s=t>. [↑](#footnote-ref-60)
61. "Ought." *Merriam-Webster*. Merriam-Webster, n.d. Web. 30 July 2013. <http://www.merriam-webster.com/dictionary/ought?show=0>. [↑](#footnote-ref-61)
62. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-62)
63. “The Defense Department’s Response.” The New York Times. Web. 23 July 2013. <<http://www.nytimes.com/2010/10/23/world/middleeast/23response.html?_r=0>> [↑](#footnote-ref-63)
64. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-64)
65. “Frequently Asked Questions: Press.” Web. 17 July 2013. < <http://www.firstamendmentcenter.org/faq/frequently-asked-questions-press>> [↑](#footnote-ref-65)
66. “Prior Restraint.” Web. 23 July 2013. <<http://www.law.cornell.edu/wex/prior_restraint>> [↑](#footnote-ref-66)
67. “Frequently Asked Questions: Press.” Web. 17 July 2013. <<http://www.firstamendmentcenter.org/faq/frequently-asked-questions-press>> [↑](#footnote-ref-67)
68. ”United States.” Web. 31 July 2013. <<http://www.freedomhouse.org/report/freedom-press/2012/united-states>> [↑](#footnote-ref-68)
69. Ragone, Nick. “The Role of Media in Government.” Web. 17 July 2013. <<http://www.netplaces.com/american-government/the-media/the-role-of-media-in-government.htm>> [↑](#footnote-ref-69)
70. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-70)
71. Papandrea, Mary-Rose. “Balancing and the Unauthorized Disclosure of National Security Information.” Web. 18 July 2013. <<http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1487&context=lsfp>> [↑](#footnote-ref-71)
72. “Unauthorized Disclosures of Classified Information.” Web. 18 July 2013. <<http://www.ncix.gov/training/WBT/docs/UDB_091211.pdf>> [↑](#footnote-ref-72)
73. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-73)
74. Sheffield, Greg. Web. 15 July 2013. <<http://newsbusters.org/node/6242>> [↑](#footnote-ref-74)
75. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-75)
76. “Who is Edward Snowden?” Web. 23 July 2013. <[http://www.washingtonpost.com/world/national-security/who-is-edward-snowden/2013/06/11/71ca11fc-d2ef-11e2-a73e-826d299ff459\_gallery.html#](http://www.washingtonpost.com/world/national-security/who-is-edward-snowden/2013/06/11/71ca11fc-d2ef-11e2-a73e-826d299ff459_gallery.html)photo=1> [↑](#footnote-ref-76)
77. “Pentagon Papers.” Web. 23 July 2013. <<http://www.britannica.com/EBchecked/topic/450326/Pentagon-Papers>> [↑](#footnote-ref-77)
78. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-78)
79. "Franklin : The Forgotten Man." *The Forgotten Man RSS*. N.p., n.d. Web. 10 Aug. 2013. <http://www.theforgottenman.org/our-founders/franklin/>. [↑](#footnote-ref-79)
80. Freedom of the Press Index: http://www.freedomhouse.org/report/freedom-press/freedom-press-2013 [↑](#footnote-ref-80)
81. Philip Elliott. “Associated Press CEO Gary Pruitt: DOJ's Seizure Of Phone Records Was 'Unconstitutional' (VIDEO).” Associated Press. May 19, 2013. http://www.huffingtonpost.com/2013/05/19/ap-ceo-gary-pruitt-doj\_n\_3303296.html [↑](#footnote-ref-81)
82. [Ann E. Marimow](http://www.washingtonpost.com/ann-e-marimow/2011/05/26/AGHgQzBH_page.html). “A rare peek into a Justice Department leak probe.” Washington Post. May 19, 2013.

    http://www.washingtonpost.com/local/a-rare-peek-into-a-justice-department-leak-probe/2013/05/19/0bc473de-be5e-11e2-97d4-a479289a31f9\_print.html [↑](#footnote-ref-82)
83. [Alex Weprin](http://www.mediabistro.com/tvnewser/author/alex). “[DOJ Also Targeted Fox News Reporter James Rosen](http://www.mediabistro.com/tvnewser/doj-also-targeted-fox-news-reporter-james-rosen_b179954).” TVNewser. May 20, 2013. http://www.mediabistro.com/tvnewser/doj-also-targeted-fox-news-reporter-james-rosen\_b179954 [↑](#footnote-ref-83)
84. [Geoffrey R. Stone](http://www.huffingtonpost.com/geoffrey-r-stone). “[Freedom of the Press v. National Security](http://www.huffingtonpost.com/geoffrey-r-stone/freedom-of-the-press-v-na_1_b_21382.html).” Huffington Post. May 21, 2006. <http://www.huffingtonpost.com/geoffrey-r-stone/freedom-of-the-press-v-na_1_b_21382.html> [↑](#footnote-ref-84)
85. "Preamble to the US Constitution." LII. Cornell University, 6 Aug. 2011. Web. 28 July 2013. <<http://www.law.cornell.edu/constitution/preamble>>. [↑](#footnote-ref-85)
86. "National Security." Macmillan Dictionary. Macmillan Publishers Limited, n.d. Web. 10 July 2013. <<http://www.macmillandictionary.com/us/dictionary/american/national-security>>. [↑](#footnote-ref-86)
87. "Freedom of the Press." Def. 1. Oxford Advanced Learner's Dictionary. Oxford University Press, n.d. Web. 10 July 2013. <<http://oald8.oxfordlearnersdictionaries.com/dictionary/freedom-of-the-press>>. [↑](#footnote-ref-87)
88. "Value." Def. 2. Oxford Dictionaries. Oxford University Press, n.d. Web. 10 July 2013. <<http://oxforddictionaries.com/definition/american_english/value>>. [↑](#footnote-ref-88)
89. Operational Definition [↑](#footnote-ref-89)
90. Ross, Gary. "Author's Preface." Who Watches the Watchmen?: The Conflict Between National Security and the Freedom of the Press. Washington: National Intelligence University, Center for Strategic Intelligence Research, 2011. Xxix+.Federation of American Scientists. Web. 27 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>>. [↑](#footnote-ref-90)
91. "Thomas Carlyle." BrainyQuote.com. Xplore Inc, 2013. 27 July 2013. <http://www.brainyquote.com/quotes/quotes/t/thomascarl156152.html> [↑](#footnote-ref-91)
92. Huebner, Jonathan. "A Possible Declining Trend for Worldwide Innovation."Acceleration Studies Foundation. Science Direct, n.d. Web. 27 July 2013. <<http://accelerating.org/articles/InnovationHuebnerTFSC2005.pdf>>. [↑](#footnote-ref-92)
93. Ross, Gary. "Chapter 2: Journalist Motivations and Justifications." Who Watches the Watchmen?: The Conflict Between National Security and the Freedom of the Press. Washington: National Intelligence University, Center for Strategic Intelligence Research, 2011. p. 35. Federation of American Scientists. Web. 27 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>>. [↑](#footnote-ref-93)
94. "National Security." *Macmillandictionary.com*. Macmillan Publishers Limited, n.d. Web. 16 July 2013. <http://www.macmillandictionary.com/dictionary/american/national-security>. [↑](#footnote-ref-94)
95. "Value." *Macmillan Dictionary*. Macmillan Publishers Limited, n.d. Web. 15 July 2013. <http://www.macmillandictionary.com/dictionary/american/value\_31>. [↑](#footnote-ref-95)
96. "National Standards for Civics and Government." *Civiced.org*. Center for Civic Education, 2009. Web. 16 July 2013. <http://www.civiced.org/index.php>. [↑](#footnote-ref-96)
97. National Interest: "The national interest, often referred to by the French expression raison d'État (English: reason of the State), is a country's goals and ambitions whether economic, military, or cultural."

    "National Interest." *Wikipedia*. Wikimedia Foundation, 06 Oct. 2013. Web. 17 July 2013. <http://en.wikipedia.org/wiki/National\_interest>. [↑](#footnote-ref-97)
98. Flinn, Joseph F. "The National Security Exception to the Doctrine of Prior Restraint."*Scholarship.law.wm.edu*. William and Mary Law School, 1971. Web. 16 July 2013. <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2654&context=wmlr>. [↑](#footnote-ref-98)
99. SCHENCK v. UNITED STATES. *The Oyez Project at IIT Chicago-Kent College of Law*. 07 July 2013. <http://www.oyez.org/cases/1901-1939/1918/1918\_437>. [↑](#footnote-ref-99)
100. O’Brien, Joseph. *“The Supreme Court and the Freedom of Speech.”* Pbs.org. Public Affairs Television, n.d. Web. 16 July 2013. <http://www.pbs.org/now/classroom/courtcases.html>. [↑](#footnote-ref-100)
101. Schenck v. United States, 249 U.S. 47. SUPREME COURT OF THE UNITED STATES. Decided: March 3, 1919. Opinion found on the Legal Information Institute. <http://www.law.cornell.edu/supct/html/historics/USSC\_CR\_0249\_0047\_ZO.html>. [↑](#footnote-ref-101)
102. May, Theresa. "National Security." *BrainyQuote*. Xplore, n.d. Web. 16 July 2013. <http://www.brainyquote.com/quotes/quotes/t/theresamay472897.html>. [↑](#footnote-ref-102)
103. "National Interest." *Wikipedia*. Wikimedia Foundation, 06 Oct. 2013. Web. 17 July 2013. <http://en.wikipedia.org/wiki/National\_interest>. [↑](#footnote-ref-103)
104. Beecher, Henry Ward. "Anarchy." *BrainyQuote*. Xplore, n.d. Web. 17 July 2013. <http://www.brainyquote.com/quotes/quotes/h/henrywardb163182.html>. [↑](#footnote-ref-104)
105. Sophocles. "Anarchy." *BrainyQuote*. Xplore, n.d. Web. 17 July 2013. <http://www.brainyquote.com/quotes/quotes/s/sophocles394075.html>. [↑](#footnote-ref-105)
106. Acton, John Emerich Edward Dalberg. "Absolute Power." *Phrases.org.uk*. Gary Martin, n.d. Web. 17 July 2013. <http://www.phrases.org.uk/meanings/absolute-power-corrupts-absolutely.html>. [↑](#footnote-ref-106)
107. "National Security - Definition." *Macmillandictionary.com*. Macmillan Dictionary, n.d. Web. 24 July 2013. <http://www.macmillandictionary.com/dictionary/american/national-security>. [↑](#footnote-ref-107)
108. "Freedom of the Press." *Dictionary.reference.com*. The American Heritage® New Dictionary of Cultural Literacy, Third Edition, n.d. Web. 24 July 2013. <http://dictionary.reference.com/browse/freedom+of+the+press>. [↑](#footnote-ref-108)
109. Operational Definition [↑](#footnote-ref-109)
110. United States. *Declaration of Independence*. By Thomas Jefferson. N.p.: n.p., n.d. Archives.gov. Web. 24 July 2013. <http://www.archives.gov/exhibits/charters/declaration\_transcript.html>. [↑](#footnote-ref-110)
111. Jefferson, Thomas. *Quotationsbook.com*. Quotations Book, n.d. Web. 26 July 2013. <http://quotationsbook.com/quote/17636/#sthash.KJqxCpHe.dpbs>. [↑](#footnote-ref-111)
112. Schoenfeld, Gabriel, Ph.D. "Has the New York Times Violated the Espionage Act?"*Commentarymagazine.com*. Commentary Magazine, Mar. 2006. Web. 26 July 2013. <http://www.commentarymagazine.com/article/has-the-%E2%80%9Cnew-york-times%E2%80%9D-violated-the-espionage-act/>. [↑](#footnote-ref-112)
113. Hanyok, Robert J. Rev. of *Secrets of Victory: The Office of Censorship and The American Press and Radio in World War II*. n.d.: n. pag. *Cia.gov*. Central Intelligence Agency, 14 Apr. 2007. Web. 18 July 2013. <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol46no3/article10.html#author1>. [↑](#footnote-ref-113)
114. "Benjamin Franklin." BrainyQuote.com. Xplore Inc, 2013. 26 July 2013. http://www.brainyquote.com/quotes/quotes/b/benjaminfr136955.html  
      [↑](#footnote-ref-114)
115. "National Security Law & Legal Definition." *Uslegal.com*. USLegal, n.d. Web. 29 July 2013. [↑](#footnote-ref-115)
116. "Freedom of the Press." *Dictionary.com*. Dictionary.com, n.d. Web. 29 July 2013. [↑](#footnote-ref-116)
117. "Value Definition." *Merriam-webster.com*. Merriam-Webster, n.d. Web. 29 July 2013. [↑](#footnote-ref-117)
118. "Pentagon Papers (United States History)." *Encyclopedia Britannica Online*. Encyclopedia Britannica, n.d. Web. 15 July 2013. [↑](#footnote-ref-118)
119. "Bio Exercise." *1079.com/Kent*. Kent State University, n.d. Web. 18 July 2013. [↑](#footnote-ref-119)
120. "Online Library of Liberty." *Libertyfund.org*. Online Library of Liberty, 13 Dec. 2010. Web. 31 July 2013. [↑](#footnote-ref-120)
121. "Center for Civic Education Glossary." *Center for Civic Education Glossary*. Center for Civic Education, n.d. Web. 27 July 2013. <http://www.civiced.org/index.php?page=stds\_glossary>. [↑](#footnote-ref-121)
122. "Ought." *Dictionary.com*. Dictionary.com, n.d. Web. 27 July 2013. <http://dictionary.reference.com/browse/ought?s=t>. [↑](#footnote-ref-122)
123. "Freedom of the Press." *Merriam-Webster*. Merriam-Webster, n.d. Web. 27 July 2013. <http://www.merriam-webster.com/dictionary/freedom of the press>. [↑](#footnote-ref-123)
124. "Purpose." *Dictionary.com*. Dictionary.com, n.d. Web. 28 July 2013. <http://dictionary.reference.com/browse/purpose?s=t>. [↑](#footnote-ref-124)
125. "“The Purpose of Government Is to Enable the People of a Nation to Live in Safety and Happiness. Government Exists for the Interests of the Governed, Not for the Governors.”." *Goodreads*. Goodreads, Inc, n.d. Web. 28 July 2013. <http://www.goodreads.com/quotes/110347-the-purpose-of-government-is-to-enable-the-people-of>. [↑](#footnote-ref-125)
126. Paine, Thomas. Common Sense. 1776. [↑](#footnote-ref-126)
127. “National Security Law & Legal Definition.” Web. 18 July 2013. <<http://definitions.uslegal.com/n/national-security>> [↑](#footnote-ref-127)
128. “Freedom of the Press.” Web. 18 July 2013. <<http://dictionary.reference.com/browse/freedom+of+the+press>> [↑](#footnote-ref-128)
129. Boehlert, Eric. “It’s Called Freedom of the Press For a Reason.” Web. 18 July 2013. <[http://mediamatters.org/blog/2013/05/24/its-called-freedom-of-the-press-for-a-reason/194210>](http://mediamatters.org/blog/2013/05/24/its-called-freedom-of-the-press-for-a-reason/194210) [↑](#footnote-ref-129)
130. “Near v. Minnesota, 283 U.S. 697.” Web. 18 July 2013. <<http://american-civil-liberties.com/cases/4202-near-v-minnesota-283-us-697-1931.html>> [↑](#footnote-ref-130)
131. Ross, Gary. Who Watches the Watchmen? Web. 18 July 2013. <<http://www.fas.org/sgp/eprint/ross.pdf>> [↑](#footnote-ref-131)
132. Davis, Lanny. “Freedom of the Press v. National Security.” The Huffington Post. 18 July 2013. <<http://www.huffingtonpost.com/lanny-davis/freedom-of-the-press-v-na_2_b_3368398.html>> [↑](#footnote-ref-132)
133. "The Federal Reporter:." *Google Books*. N.p., n.d. Web. 20 July 2013. http://books.google.com/books?id=QMUKAAAAYAAJ&pg=RA1-PR3&dq=federal+reporter+volume+242&cd=2#v=onepage&q=stickrath&f=false [↑](#footnote-ref-133)
134. "National Security." *Macmillan Dictionary*. N.p., n.d. Web. 20 July 2013. [↑](#footnote-ref-134)
135. "Freedom of the Press Legal Definition." *Lawyers.com*. N.p., n.d. Web. 20 July 2013. [↑](#footnote-ref-135)
136. Carafano, James J., Steven P. Bucci, and Jessica Zuckerman. "50 Terror Attacks Foiled Since 9/11." *The Heritage Foundation*. N.p., 25 Apr. 2012. Web. 20 July 2013. <http://www.heritage.org/research/reports/2012/04/fifty-terror-plots-foiled-since-9-11-the-homegrown-threat-and-the-long-war-on-terrorism>. [↑](#footnote-ref-136)
137. "18 USC § 871 - Threats against President and Successors to the Presidency." *Cornell University Law School*. Legal Information Institute, n.d. Web. 20 July 2013. [↑](#footnote-ref-137)
138. "Milbloggers Upset with Restrictions, But Won’t Stop Blogging." *PBS*. PBS, 23 May 2007. Web. 20 July 2013. [↑](#footnote-ref-138)
139. “Encyclopedic” is totally a word. Tell your friends. [↑](#footnote-ref-139)
140. Swift, Jonathan. *ThinkExist.com*. N.p., n.d. Web. 24 July 2013. <http://thinkexist.com/quotation/power\_is\_no\_blessing\_in\_itself-except\_when\_it\_is/146382.html>. [↑](#footnote-ref-140)
141. OPSEC Terms and Definitions -OSPA." *OPSEC Terms and Definitions -OSPA*. N.p., n.d. Web. 19 July 2013. <http://www.opsecprofessionals.org/terms.html>. [↑](#footnote-ref-141)
142. "Center for Civic Education Home." *Center for Civic Education Home*. N.p., n.d. Web. 19 July 2013. <http://www.civiced.org/index.php>. [↑](#footnote-ref-142)
143. Operational Definition [↑](#footnote-ref-143)
144. Jefferson, Thomas. *Pro-Life Quotes*. N.p., n.d. Web. 24 July 2013. <http://prolifequotes.blogspot.com/search/label/Thomas Jefferson>. [↑](#footnote-ref-144)
145. "TSA Gets Rid of Full-body Scanners at US Airports." *Fox News*. FOX News Network, 31 May 2013. Web. 24 July 2013. <http://www.foxnews.com/politics/2013/05/31/tsa-gets-rid-full-body-image-scanners-at-us-airports/>. [↑](#footnote-ref-145)
146. "CBS News Poll: 11/15/10." *CBSNews*. CBS Interactive, 15 Nov. 2010. Web. 26 July 2013. <http://www.cbsnews.com/stories/2010/11/15/politics/main7057902.shtml?tag=contentMain;contentBody>. [↑](#footnote-ref-146)
147. "Freedom of the Press." *Merriam-Webster*. Merriam-Webster, n.d. Web. 23 July 2013. <http://www.merriam-webster.com/dictionary/freedom of the press>. [↑](#footnote-ref-147)
148. "National Security." *National Security - Definition*. Macmillan Publishers Limited, n.d. Web. 23 July 2013. <http://www.macmillandictionary.com/us/dictionary/american/national-security>. [↑](#footnote-ref-148)
149. Meyers, Courtney B. "Amid Oppression in Egypt, Twitter’s Founder Stands up for Freedom of Expression." *TNW Network All Stories RSS*. N.p., 23 Jan. 2013. Web. 23 July 2013. <http://thenextweb.com/twitter/2011/01/28/amid-oppression-in-egypt-twitters-founder-stands-up-for-freedom-of-expression/>. [↑](#footnote-ref-149)
150. Williams, Christopher. "How Egypt Shut Down the Internet." *The Telegraph*. N.p., 28 Jan. 2011. Web. 24 July 2013. <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/8288163/How-Egypt-shut-down-the-internet.html>. [↑](#footnote-ref-150)
151. Lee, Dave. "North Korea: On the Net in World's Most Secretive Nation." *BBC News*. BBC, 12 Oct. 2012. Web. 24 July 2013. <http://www.bbc.co.uk/news/technology-20445632>. [↑](#footnote-ref-151)
152. Sottek, T.C., and Josh Kopstein. "Everything You Need To Know About Project PRISM" *The Verge*. N.p., 17 July 2013. Web. 31 July 2013. <http://www.theverge.com/2013/7/17/4517480/nsa-spying-prism-surveillance-cheat-sheet> [↑](#footnote-ref-152)
153. *BrainyQuote*. Xplore, n.d. Web. 16 July 2013. <<http://www.brainyquote.com/quotes/quotes/g/georgewash146824.html>>. [↑](#footnote-ref-153)
154. "National.” *Collins English Dictionary*. N.p., n.d. Web. 17 July 2013. <<http://www.collinsdictionary.com/dictionary/english/national?showCookiePolicy=true>>. [↑](#footnote-ref-154)
155. "Security." *American Heritage Dictionary*. N.p., n.d. Web. 17 July 2013. <http://www.ahdictionary.com/word/search.html?q=Security>. [↑](#footnote-ref-155)
156. "Tyranny." *American Heritage Dictionary*. N.p., n.d. Web. 18 July 2013. <http://www.ahdictionary.com/word/search.html?q=Tyranny>. [↑](#footnote-ref-156)
157. *BrainyQuote*. Xplore, n.d. Web. 16 July 2013. <<http://www.brainyquote.com/quotes/quotes/j/jamesmadis140592.html>>. [↑](#footnote-ref-157)
158. Gibbon, Edward. "Edward Gibbon: General Observations on the Fall of the Roman Empire in the West." *Internet History Sourcebooks Project*. Internet Medieval Source Book, Dec. 1996. Web. 16 July 2013. <<http://www.fordham.edu/halsall/source/gibbon-fall.asp>>. [↑](#footnote-ref-158)
159. "Bill of Rights Transcript Text." *Bill of Rights Transcript Text*. The Charters of Freedom, n.d. Web. 16 July 2013. <<http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html>>. [↑](#footnote-ref-159)
160. Gergen, David. *Eyewitness to Power: the essence of leadership: Nixon to Clinton*. New York, NY: Simon & Schuster, Inc., 2000. Print. [↑](#footnote-ref-160)
161. *BrainyQuote*. Xplore, n.d. Web. 16 July 2013. <http://www.brainyquote.com/quotes/quotes/j/jamesmadis169357.html>. [↑](#footnote-ref-161)
162. *Compact Oxford English Dictionary.* Third Edition. 2005. Ed. Catherine Soanes and Sara Hawker. Oxford University Press: Oxford. [↑](#footnote-ref-162)
163. [*Webster's New World Law Dictionary*](http://law.yourdictionary.com/). 2010. Wiley Publishing: Hoboken, N.J. [↑](#footnote-ref-163)
164. *BrainyQuote*. Xplore, n.d. Web. 10 Aug. 2013. <http://www.brainyquote.com/quotes/quotes/a/albertcamu156596.html>. [↑](#footnote-ref-164)