P.S. to the NEWS
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THE H-BOMB SECRET ARTICLE

Why was the Progressive magazine so eager to print an article which contained secret technical data about the building of the H-bomb, and which the government said would "increase the proliferation of nuclear weapons and severely undercut the arms control and disarmament policies of the United States"? After all, hasn't the Progressive been promoting arms control and nuclear disarmament for years?

The controversial article was titled "The H-Bomb Secret: How We Got It, Why We're Telling It." Its publication was blocked earlier this year by a preliminary injunction issued by the U.S. District Court in Milwaukee.

The motivation of the author surfaced recently when the author, Howard Morland, debated Reed Irvine, chairman of Accuracy in Media, a Washington-based private organization which acts as an ombudsman to monitor the accuracy of news reporting.

Morland admitted in the debate that he wants the destruction of the entire information classification system of our government. He wants to explode "the idea that there are secrets -- a single terrible secret that has to be kept."

It follows logically, as Irvine pointed out in the debate, that if our most closely guarded military secret can be published, then all military secrecy is shot and anyone can publish anything, thereby making it easily available to any enemy. The issue in this case, therefore, is not merely whether the details of one particular article should be kept secret, but whether any military information at all should be kept secret.

It is easy to see how publication of the H-bomb secret would serve Morland's goal of unilateral disarmament. If the Soviets are freely given every secret of our military weapons and technology, while their closed society prevents us from seeing anything except the rooftops of the installations we can observe from satellite surveillance, their relative military strength will increase until we

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are forced to surrender all our weapons under threat of nuclear blackmail.

Americans have justly been proud of our constitutional requirements which protect freedom of the press. Any law which allows the government to prevent publication by "prior restraint" has two strikes against it when challenged in the courts. Prior restraint has been so seldom attempted that there are very few court cases.

The principal Supreme Court decision which spells out the constitutional rule against prior restraint, Near v. Minnesota (1931), also makes it clear that this prohibition is obviously limited by common sense and national security. "No one would question," the Court said, "but that a government might prevent actual destruction to its recruiting service or the publication of the sailing dates of transports or the number and location of troops."

But the unilateral disarmament advocates are questioning exactly that today. When Irvine pressed Morland on whether publication of troop movements and flight schedules should be allowed, Mr. Morland responded by a thundering and revealing silence.

It's too bad that the Nixon Administration carried on such a legal battle in the case of New York Times v. United States (1971) against the publication of the Pentagon Papers. These Papers (officially entitled "History of U.S. Decision-Making Process on Viet Nam Policy") simply detailed past events that could not have been of value to any enemy.

Even though this case added to the authority of the constitutional rule against prior restraint, the Court did not dispute the obvious fact that national defense and internal security impose limits on the constitutional right of freedom of the press.

These limits clearly allow us to prohibit the publication of the "terrible secret" of the H-bomb. As the Irvine-Morland debate shows, those who argue otherwise are trying to give our military secrets to our enemies by misusing the mantle of freedom of the press.

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