

They said, no, we shouldn't be made responsible for the truth of that with which we print. They didn't want to be put in a position to have to even determine whether the ads placed are true because they are after money. So on an issue where they are not talking about informing the public or really exercising the freedom of the press that the First Amendment envisioned protecting, they want to assume no responsibility. Yet from their cobweb-encrusted editorial offices, people with cobweb-encrusted brains will sit there and pontificate and say others should not be able to do what we do for money regularly. When the Legislature legislates based on what some editor or newspaper says, then in fact the newspaper is the 50th member of the Legislature. That newspaper has a vote and a voice. If people want to allow that, fine. I would not want to see a law that would restrict the media in any way. Have the liable or the slander laws and let a person try to work through that. But there shouldn't be restriction on newspapers. There shouldn't be restriction on political debate. And everybody knows there is great syntactical imprecision when people engage in political debate. Now the point I wish you would keep in your mind is that Senator Beutler is asking you to make it a crime to simply use language, but he doesn't want to make it a crime for you to orally express the same ideas which would be a crime if you print them. Liable and slander are two terms, one to designate the written, the other to designate the spoken. So if you make the wrong kind of statement, whether in writing or orally, you can be subject to the law if you damage the person and meet the other requirements. But what Senator Beutler and his cohorts want to say, in the Lincoln Journal, is that if you write something that is false that should be a crime, if you say it, it is not. The Lincoln Journal doesn't even want you to have to show it to anybody. In the privacy of your home it is a crime. That is preposterous and especially emanating from an editorial office where I'm sure they would speak out stronger than anybody on this floor, with the possible exception of myself, for the freedom of the press. Dick Herman, or whoever wrote that editorial, would not want anybody to come and grab him by the scruff of his neck and the seat of his pants and haul him before a judge because he wrote something that he knew was true but he wanted to see what it looked like and somebody happened to have stumbled across it. He'd say, well, in the privacy of my office I can write whatever I want to. But he wants it to be a crime for anybody else to do that. So those are the things that