

Wendell Holmes said, a long time ago, you have no right to yell fire in a theater. There are limitations on the right to free speech and we all know and understand why there are limitations on the right to free speech because you can hurt and destroy people with free speech if there are no limitations, if there are no counter-balancing values. So that is what we are talking about, what are the counter-balancing values. I don't think that Senator DeCamp correctly quoted to you. I vehemently disagree with his interpretation of the court decision that indicates this statute would be unconstitutional. I think that it would be constitutional. Let me read to you what one court said about this particular area. That speech is used as a tool for political ends does not automatically bring it under the protective mantle of the Constitution. For the use of the known lie as a tool is at once at odds with the premises of democratic government, and with the orderly manner in which economic, social or political change is to be affected. Calculated falsehood falls into that class of utterances which are no essential part of any exposition of ideas and are of such slight social value, as a step to truth, that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality. I believe that. I believe that. I hope you believe that. Hence the knowingly false statement and the false statement made with the reckless disregard for the truth do not enjoy constitutional protection. Senator DeCamp plays to your fears instead of to your higher values. He talks of the star chamber as if it has operated like a star chamber, or could legally operate like a star chamber, and it could not. He says that it could be abused, and yet he would not argue that the liable and slander laws should not apply to the public, they could be abused, any law can be abused by unscrupulous people to a certain extent. That is not a reason for not having the law. Senator Chambers interprets the law differently than I would. I do not believe that this law prohibits printing in your private home and would penalize that. I think there has to be a publication. I simply don't agree with that particular interpretation, nor has the commission ever made such an interpretation ever, nor would the Constitution permit such interpretation. When the interpretation is unclear you always take the interpretation, the courts always take the interpretation that is constitutional. Senator Chambers says this doesn't include oral statements, but his argument here is that the law does not go far enough. I would agree with him, the law