

dangerous terrain.

SENATOR V. JOHNSON: Senator Hoagland is next.

SENATOR HOAGLAND: Let me say only that Senator Chambers, by this amendment, would make unlawful my getting together with anybody and preparing a material involving the use of firearms with the intent that that material should be used in furtherance of civil disorder. I mean, we clearly don't want the law to go that far. Senator Chambers admits he is just putting this up for illustration purposes. I would urge you to vote against the amendment.

SENATOR V. JOHNSON: And Senator Chambers wishes to speak again.

SENATOR CHAMBERS: Yes, Mr. Chairman and members of the Legislature, I wish to speak again. Let's say that this bill...let's say that what I am offering would be constitutionally suspect because you are talking about people, these dastardly individuals. Here is a follower of Mussolini sitting on the left. In the middle is a follower of Tojo. On the right is a follower of Hitler. And they all look exactly like these personages and they have exactly the same orientation and attitude, and they get together to put together a manual by which to overthrow this country with violence, firearms, explosives, and they come together to write this poisonous material and it is not against the law. Although it is against the law to assemble to talk about it, but it is not against the law to assemble to write about it. We have got lawyers in this body and others saying that there is no essential difference between freedom to write and freedom to speak. There are some people in this body who would say that if you shout "fire" in a crowded theater, that speech is not protected by the first amendment of the Constitution. But you have to be careful when you make those statements because under some circumstances it is protected speech. Suppose there is a live play on stage and the theater is jam-packed from floor to ceiling and one of the individuals is a dictator and he has all of his foes lined up against the wall and there is a line of riflemen. He says, ready, aim, fire, in a crowded theater, and there is nothing unconstitutional about it. The speech is protected so even when the classic example of unprotected speech is given, that is not true in all cases. It is very dangerous to try to circumvent the provisions of