

# Washington Law Review

---

Volume 32 | Number 1

---

3-1-1957

## ***Say It Safely, Legal Limits in Journalism and Broadcasting*, by Paul P. Ashley (1956)**

Thomas J. Brennan

Follow this and additional works at: <https://digitalcommons.law.uw.edu/wlr>



Part of the [Communications Law Commons](#)

---

### **Recommended Citation**

Thomas J. Brennan, Book Review, *Say It Safely, Legal Limits in Journalism and Broadcasting*, by Paul P. Ashley (1956), 32 Wash. L. Rev. & St. B.J. 59 (1957).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol32/iss1/4>

This Book Review is brought to you for free and open access by the Law Reviews and Journals at UW Law Digital Commons. It has been accepted for inclusion in Washington Law Review by an authorized editor of UW Law Digital Commons. For more information, please contact [cnyberg@uw.edu](mailto:cnyberg@uw.edu).

## BOOK REVIEWS

SAY IT SAFELY, LEGAL LIMITS IN JOURNALISM AND BROADCASTING, by Paul P. Ashley, University of Washington Press, 1956, 112 pp.

Journalists and broadcasters obviously must guard against publishing or broadcasting material which may involve them in a lawsuit. There are many times also when the publisher must decide whether the importance of publishing an article outweighs the risk involved in publishing it. Not the least important, he must know what steps to take to mitigate damages which may be awarded in case of adverse judgment. A book which sets forth the elements to be kept in mind concerning these matters is certainly of value. *Say It Safely* is such a book.

Mr. Ashley's book is a revision of his earlier volume, *Essentials of Libel*, published in 1948. It is a small book in which the author, a member of the Seattle Bar experienced in newspaper law, has attempted to provide the journalist and broadcaster with a handy check-list of the danger spots confronting them through the law of the press. It is, in the words of the author, a "Stop, Look and Listen handbook." Mr. Ashley has accomplished his purpose quite successfully.

The contents of this book are arranged in what is perhaps a more or less orthodox manner. The first four chapters deal with libel: its hazards, a brief historical background, what it is. Included is an excellent list of expressions typical of those considered to be libelous *per se*. A glance over this list should give any newspaperman or broadcaster a feeling for those expressions which are to be particularly avoided. Next come several chapters on the defenses. This is perhaps the most confused and confusing area in the law of defamation, and it is here that Mr. Ashley's knowledge and experience in the field becomes most apparent. The last third of the book deals with contempt of court, use of photographs, and political broadcasts. Interspersed throughout are interesting illustrations of the points of law discussed.

To serve its purpose, the book is necessarily condensed. "This manual," the author explains, "is a working tool designed for day-to-day use by all who write or process copy. It is not a reference work destined to repose in the library or morgue, or on the shelf across the room." The more subtle points of law will not be found here. The law books are more appropriate for these. The book is, as the author says, a "working tool." If it accomplishes nothing else, it will at least remind the journalist and broadcaster to seek legal advice in advance when the situation warrants it. Since deadlines do not permit continual conferences with an attorney, it will serve, in an excellent way, to point out the dangers lurking in the law of the press so that the risk of unlawful publication may be avoided.

A reviewer of Mr. Ashley's first book, *Essentials of Libel*, thought it "should be placed next to the eye-shade on every newspaperman's desk." That was true of the first book: it is much more true of the new edition. Since almost all changes made are distinct improvements over the first edition, it is difficult to criticize the revision. *Say It Safely* has been expanded to almost twice the length of *Essentials of Libel*. Four more chapters have been added to include material on radio, television and photography. The material concerning contempt of court and the developing concept of right of privacy has been expanded. The format has been considerably improved—a mechanical matter, but nevertheless important. Most important, the book has been revised and greatly improved in its literary style and presentation. The first edition evidenced signs of rather hasty writing and printing. Mr. Ashley has apparently taken advantage of the seven or eight years which have elapsed to correct these deficiencies.

This is not a book for the classroom. It is far too brief. Students of journalism

receive instruction in the law of the press much more comprehensive than this book could provide. The courses in reporting and copyreading usually use texts containing at least one chapter on the subject. A complete course is also usually required in the curriculum. But whether the instruction is received in the school of journalism or by practical experience, this book serves as a valuable reminder of what has been learned. It makes an invaluable addition to the working library of any journalist or broadcaster.

The philosophy threading this book is that of an unabashed advocate of the point of view of the newspaperman and broadcaster. Mr. Ashley's theme is set forth in the last chapter—"Thirty":

... the purpose of this manual is not to frighten publishers and broadcasters into saying less. It is to help them be secure in saying what should be said. . . . The premise of this book is that, except where the national security is actually involved, the citizens of this country have a right to know what is going on.

THOMAS J. BRENNAN\*

---

\* Member of the Washington Bar. Attorney, United States Department of Justice. The views or opinions expressed in this review are those of the reviewer and do not necessarily represent those of the Department of Justice or of any other Department or Agency of the United States government.