
ARTS & LETTERS

was horrified by the excesses of the French Revolution and Shay's Rebellion. Webster had become convinced, says Rollins, that Americans could best serve their own interests by obeying the "wishes of a social leadership consisting of pious, elderly property owners," and accordingly he flavored his word definitions to encourage submission to civil and divine authority.

In the *Dictionary* under "duty," Webster listed "obedience to princes, magistrates, and the laws." Under "laws," he wrote of "laws which enjoin the duties of piety and morality." He made "submission" a synonym for "obedience" and defined "freedom" as a "violation of the rules of decorum." Of "politicians," Webster wrote that they were men of "artifice or deep contrivance."

PRESS & TELEVISION

A Major Ruling on 'Fair Trial'

"Can Judges Stop the Presses?" by D. Grier Stephenson, Jr., in *Intellect* (Dec. 1976), 1860 Broadway, New York, N.Y. 10023.

During the past decade, judges have issued 35 restraining orders against the news media to bar publicity that could prejudice potential jurors. Stephenson, a professor of government at Franklin and Marshall College, reviews a major effort by the press in its own behalf that significantly affected the outcome of the first major court test of such curbs.

Last year, in the *Nebraska Press Association* case, a county judge banned all press and broadcast reporting of evidence which implicated defendant Charles Simants in the 1975 murder of six persons in Sutherland, Nebraska. Thirteen news organizations immediately challenged the order and won a partial stay. By the time the case reached the Supreme Court, a total of 41 press organizations had joined the original plaintiffs to oppose what they called "prior restraint" in violation of the First Amendment.

Nebraska authorities argued before the Court that the restraining order was needed to ensure an impartial jury, but the state officials, Stephenson finds, were "outgunned and outrun" by the news associations, whose lawyers' briefs were far better prepared.

Although the Supreme Court ruled that existing procedures were sufficient in the Nebraska case to guarantee fair trial without curbing the press, the decision nonetheless set the stage for future legal controversy by conceding that there could be a genuine conflict between free press and fair trial—a concession the news industry has been reluctant to make.