**Slander and Libel**

None of us like it when someone says or writes negative things about us, even if it is true. When it is not true, it can be even more harmful. Imagine if a story was written about you robbing a bank, even though you never did such a thing! It would harm your relationships with friends, family, co-workers, and even cost you your job.

What makes slander and libel so difficult, especially for public officials and public figures is that they have to prove an extra element of “actual malice.” Actual malice is extremely difficult to prove because you must prove that the person making the statement knew that the statement was not true, didn’t care whether it was true or not, and was reckless with the truth. Basically, you need to prove that the person making the statement was either negligent or intentionally making the false statement.

Regardless of whether there was “actual malice,” the damage is the same. A person’s reputation is the ruined. When it comes to the news media, the standards are supposed to be higher. Sources are supposed to be verified. If they are not, then it’s not “news”, but gossip and/or fiction writing.

Regardless of the victim’s standing as a public official, public figure, or private citizen, “actual malice” should not need to be proven. We need to hold news reporters to higher standard, not lower the standards. When news reporters know that publishing or airing a salacious story, about a public figure or public official, without verifying the facts could put them in legal jeopardy, they may think twice about reporting unproven, unverified stories.

The public has a right to know when our public officials and public figures have done something legally or morally wrong. However, when it is being reported by a “news” outlet (print, television, or online), they must be held to a higher standard so the public is being told facts, not rumors.

When I was growing up, there were supermarket tabloids (rumor mills, smut publications, which most people viewed as entertaining, but did not trust) and the nightly news (where we could get the verified facts about the world around us). Now, the nightly news (and 24 hour news channels) have become the supermarket tabloids and consumers don’t know what, or who, to believe and/or trust.

When we get back to trusting news sources which only report on verified stories, we can get back that trust in the press. Freedom of the press hinges on trust. That trust has been broken. Changing the slander and libel laws to make it easier for public officials and public figures to sue for salacious, unverified rumors, we can bring integrity back to the news media and the public arena. Then, we can start to mend the trust issues, so we can have a healthy society where the people trust the news media.

Removing the “actual malice” element to slander and libel claims, restores the public faith in news media and in our public officials and public figures. Society is built on trust and we need to restore trust and faith in our society. This is a start.