

New York Times Co. v. Sullivan, 376 U.S. 254 (1964)

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Facts

- On March 29, 1960, The New York Times ("**the Times**") newspaper published a full-page advertisement paid for by the Committee to Defend Martin Luther King Jnr and the Struggle for Freedom in the South.
- The advertisement criticised members of the Alabama Police Force for their actions against civil rights protestors. The advertisement described these actions (some inaccurately), such as the amount of times that Martin Luther King Jnr had been arrested.
- Mr L Sullivan, the Montgomery Public Safety Commissioner, claimed that the advertisement was defamatory to him, despite it not mentioning him by name. This was because it was his duty to monitor and supervise the police department.
- Sullivan sent a request to the Times to retract the advertisement - they did not do so.
- Sullivan commenced libel proceedings against the Times and secured judgment in the Alabama state court. The Times appealed to the US Supreme Court, arguing that the advertisement was not defamatory and that the Times was protected by the First Amendment of the US Constitution.

Issues

- Was the Times liable for libellous conduct in its criticism of the conduct of public officials, due to the advertisement's false/inaccurate statements?

Held

- In a unanimous decision, the US Supreme Court held that a newspaper cannot be held liable for making false defamatory statements about the official conduct of a public official unless the statements were made with actual malice (knowing or reckless disregard for the truth).
- The First Amendment, in order to allow the free flow of ideas and political discourse, protects people, even when they make false statements. In order to be found liable for libel, the person must knowingly make the false statement.

Quotes

"...[The US has a] profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials."

"...the First Amendment protects the publication of all statements, even false ones, about the conduct of public officials except when statements are made with actual malice (with knowledge that they are false

or in reckless disregard of their truth or falsity)."

Full Text

The full text is available here:

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