**Describe the dispute that led to New York Times v. Sullivan and how the court resolved it.**

The defendant, a famous newspaper agency, published an ad promoting donations defending Martin Luther King Jr. on perjury charges. Since the publication consisted of many flaws concerning facts, the plaintiff, who was the then Public Safety Commissioner, requested in writing to publicly retract the information. The defendant, however, refused leading to a legal case based on libel action. The plaintiff was awarded the plaintiff $500,000 in damages by the State Court. State Supreme Court affirmed. The decision was appealed.

**Explain the historical context and reasoning of the court.**

As per the First Amendment, the onus of proof remains on plaintiff, in a libelous case, to provide evidence concerning that it was in the knowledge of the defendant that he/she was false or reckless in publishing the statement. The court reasoned that for libel, it is not important to prove that the statement was false but to indicate that it had been published within a false intention.

**Why did the court make it harder for public officials to win liberal cases than private individuals?**

The claims of libel by public officials rarely prevail due to the extremely high burden of proof on the plaintiff to provide evidence concerning that it was in the knowledge of the defendant that he/she was false or reckless in publishing the statement. For this reason, the court made it harder for public officials to win liberal cases than private individuals.

**What is the courts test for determining if a claim against a public official is libelous?**

The court determines that if the claim made against a public official is libelous through an evidentiary standard midway between ‘by preponderance of evidence’ and ‘beyond a reasonable doubt’. It is the rule of clear and convincing proof. In practice, it remains closer to reasonable doubt instead of preponderance of evidence, which means 99-percent to 100-percent certainty whereas reasonable doubt indicates 51-percent clarity.

**Do you think the court gives journalist too much room for mistakes?**

In the case under discussion, the First Amendment would have been of no use if little or no *breathing space* had given to controversial reports containing unintentional mistakes. However, the mistakes must be made without the element of malice.