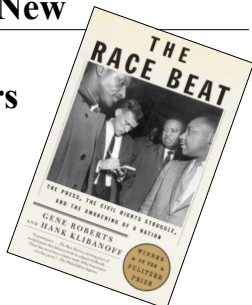


Alabama, The New York Times, Freedom Riders

“The Race Beat,”
Chapter 15



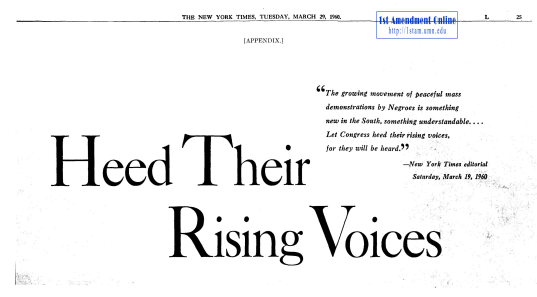
Suing The New York Times

- In Montgomery, the issue was an ad that appealed for support of the civil rights movement but made factual errors.
- In Birmingham, the issue was Harrison Salisbury's news story describing the racist climate in the city.
- Objective: to silence the outside media
- Local media tended to side with the locals, against the outside journalists.

Alabama: hostile territory

- New York Times reporters stayed out so that they couldn't be served with legal papers, and to bolster jurisdictional arguments.
- The Times almost couldn't find a lawyer willing to represent it in Alabama.

Montgomery case



Montgomery case

- After a three-day trial, an all-white jury awarded \$500,000 to Montgomery Police Commissioner L.B. Sullivan, to be paid by The Times and black ministers.
- Times' appeal hopes relied mostly on jurisdictional issues (technicalities).
- Its lawyers saw First Amendment arguments as unlikely to be helpful. Previous cases had said libelous statements weren't protected.

Montgomery case

- On March 9, 1964, the U.S. Supreme Court ruled in favor of The New York Times.
- Times v. Sullivan was a landmark libel ruling — new protection for editors and reporters.
- It held that a public official was not entitled to libel damages for criticism of official performance unless he could prove “actual malice” — meaning that the publisher had known the statement was false or shown reckless disregard for its truth or falsity.

Birmingham case

- Appeals court ruled that The Times and Harrison Salisbury could not be sued in Alabama because all of the actions didn't take place in Alabama.
- But The Times continued to keep reporters out of Alabama.
- Claude Sitton's question to editors: "How long are you going to let the damned lawyers run The New York Times?"

"Who Speaks for Birmingham?"

- Howard K. Smith's CBS news documentary, for the first time, gave black Southern citizens equal time with whites in discussing a city's racial problems.
- Smith resigned from CBS after disagreeing with CBS Chairman William S. Paley, who said he wouldn't allow editorial opinions on TV newscasts.

The Freedom Rides

- Organized, integrated bus trips through the South
- Initially covered mostly by the black press
- Mob violence occurred at locations including Anniston, Montgomery and Birmingham.
- Riders were put in Mississippi state prison, where a guard gloated: "Ain't no newspaper men out here."