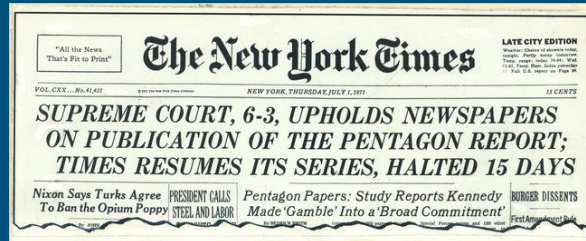


New York Times V United States



By: Matthew Noone, Maya Russell,, Noah Butler, Olivia Benton, Stephenie Kennedy, Tyler Kearney and Zereoue Williams

Facts

- Judges included Justices William Douglas, John Harlan, William J Brennan, Potter Stewart, Byron White, Thurgood Marshall, Harry Blackmun, L.F. Powell Jr. and Chief Justice Warren E. Burger.
- In 1971, the administration of President Richard Nixon attempted to suppress the publication of a top-secret history of US military involvement in Vietnam, claiming that its publication endangered national security.
- Justices Black and Douglas, “security” not be used “to abrogate the fundamental law embodied in the First Amendment”
- The freedom of press was being argued in this case.

Opinions

Justice Black- Wrote that the first amendment takes absolute superiority

Justice Douglas- Agreed with Black

Justice Brennan Jr.- Wrote that publishing the article did not qualify as an exception to the first amendment

Justices Stewart and White agreed with the President and thought the article should not be published

Justice Marshall- Wrote that the term national security was too broad to define so he thought it was fine that the article gets published

Decision

- This case resulted in a landmark decision
- It acted upon the supreme court and the first amendment
- It was a 6-3 decision toward new york times
- The case regarded the pentagon papers and whether or not they were allowed to be released to the public
- They wanted to avoid punishment or censorship from the government
- It ruled that prior restraint from the government to withhold the information on those papers due to “security” reasons was unjustified.



Works Cited

"New York Times Company v. United States." Oyez, www.oyez.org/cases/1970/1873. Accessed 27 Oct. 2020.