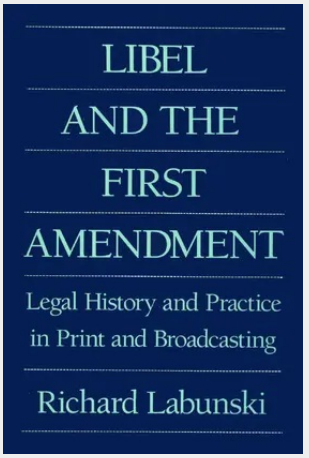
Labunski

Libel and the First Amendment

Legal History and Practice in Print and Broadcasting

As the recent cases involving William Westmoreland and Ariel Sharon re-veal, libel suits filed against media organizations have become an increas-ingly serious problem in recent years. The potential for inhibiting news coverage or even putting a news organization out of business has never been greater. This book explores historical and contemporary issues relating to libel suits against media organizations, emphasizing the consequences of the development of libel law for the First Amendment. It also considers the spe-cial problems that broadcasters have with libel suits and their potentially in-hibiting effect on television news coverage. Labunski traces the development of libel law largely from 1964, when the Supreme Court entered the libel arena for the first time and began a twenty-year effort to develop standards that are fair to both sides. He de-scribes the hostile environment which journalists must enter when they de-fend themselves in court. He also demonstrates the complexity and inconsis-tency that have resulted from the state-by-state creation of libel standards. Labunski offers suggestions, some more easily accomplished than others, that will help us get out of the libel "morass" which twenty years of Su-preme Court activity and lower court litigation have produced. This book will be of particular value to students of the First Amendment, communica-tion scholars, working journalists, and anyone who wants to better under-stand the complex development of libel laws and the effect of libel suits on news coverage.



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