

Cases for a Free Press (Zenger and New York Times Co.)

Read the transcript on the Zenger Trial. Answer these questions in YOUR OWN WORDS.

1. Of what crime was John Peter Zenger accused?
2. What had Zenger already confessed to doing?
3. According to Attorney Hamilton, what key work was left out of the definition of “libel?”
4. How did Zenger plea, AND how did he justify his plea?
5. WHY were the earlier (precedent making) cases of John de Northrup, the Trial of the Seven Bishops, Fuller, and Tutchin case so important to the defense?
6. In paragraph 11, Hamilton says that this trial has larger meaning than just the guilt of innocence of one printer. What larger issue was decided?

Read the article on New York Times Co. v. United States (1971)

7. Why did the *New York Times* take the US government to court?
8. What was the government’s defense against the *New York Times*?
9. Under Decision and Rationale, what did justices Black and Douglas mean by their statement for the majority?
10. What reason does Chief Justice Burger give for his dissention?
11. In your opinion, how should the court balance freedom of the press with national security?

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