

THE MORAL LIBERAL

Fifty Years Ago Yesterday ...

By **Walter Olson**

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...the U.S. Supreme Court handed down what was to become [one of its most celebrated tort reform decisions](#). A profitable national manufacturer had been sued in a distant rural state in which it was decidedly unpopular, resulting in a runaway jury verdict which it sought to challenge on appeal. Pointing out the disadvantages of unpredictable and locally variable tort standards, the corporation's lawyers pushed for a more uniform and modern standard of liability suited to a nationwide market, which the high court agreed unanimously to develop for the occasion and impose on state courts. And ever since 1964, the winning party in the case — that is to say, the New York Times Company — has taken a sympathetic editorial interest in the plight of other national businesses subjected to runaway verdicts in local courts.

Well, OK, maybe not that last sentence. But the rest of it did happen, in the celebrated libel case of *New York Times v. Sullivan*. [adapted slightly and re-posted from [Overlawyered in January](#)]

Walter Olson is a senior fellow at the Cato Institute's Center for Constitutional Studies. Prior to joining Cato, Olson was a senior fellow at the Manhattan Institute, and has been a columnist for Great Britain's Times Online as well as Reason.