In Garner v. Louisiana, the U.S. Supreme Court overturns the convictions for disturbing the peace of five African Americans who protested segregation by staging a “sit-in” at an all-white restaurant. Justice John Harlan explains that a sit-in demonstration is “as much a part of the free trade of ideas as is verbal expression.” Similarly, in the case of Tinker v. Des Moines Independent Community School District (1969), the Supreme Court rules that the Des Moines, Iowa, School Board had been wrong to suspend three students who wore black armbands to school to protest the Vietnam War. The Court bases its decision on the grounds that the students’ passive protest posed no risk of disrupting school activities.

As abolitionists develop the tactic of submitting many antislavery petitions to Congress, pro-slavery members of the U.S. House of Representatives adopt “gag” rules that bar such petitions from being introduced and debated. In 1844, former President John Quincy Adams, then a representative from Massachusetts, leads the effort to repeal these rules.

A U.S. peace treaty with Great Britain angers France, which strikes back by seizing U.S. ships. On the verge of war, the Federalist majorities in Congress enact four bills collectively known as the Alien and Sedition Acts to silence pro-French sentiment in the United States. These acts make it a crime to criticize the federal government and its policies. Under this law, critical newspaper publishers are convicted and imprisoned. In 1800, the Democratic-Republicans win the Presidency and majorities in Congress. The new majority lets the Sedition Act expire, and President Thomas Jefferson pardons all those who had been convicted under it.

Supreme Court justice Oliver Wendell Holmes, in his opinion in Schenck v. United States, upholds the conviction of Socialist Charles Schenck for distributing antiwar leaflets in violation of the Espionage Act. Although under normal circumstances the First Amendment would have protected such activities, the Court holds that, in wartime, speech that poses a “clear and present danger of inciting imminent, lawless action” can be restricted, comparing it to “falsely shouting fire in a theater and causing a panic.”

The Supreme Court unanimously overturns its 1896 ruling in Plessy v. Ferguson that “separate but equal” is constitutional and rules that segregation violates the 14th Amendment’s equal protection clause. In Brown v. Board of Education, the court holds that racially segregated schools are inherently unequal. The court’s opinion, written by Chief Justice Earl Warren, says that to segregate students “solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.”

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When Congress tries to limit expenditures in political campaigns, the U.S. Supreme Court, in *Buckley v. Valeo*, invalidates those provisions that restrict candidates ability to spend their own money on a campaign, limit campaign expenditures by an outside group, and limit total campaign spending. The Court compares restrictions on spending with restrictions on “political speech.” The majority reasons that discussion of public issues and political candidates are integral to the American political system under the Constitution. In the Court’s opinion, government-imposed limits on the amount of money a person or group can spend on political communication reduces “the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached.”

The American Civil Liberties Union challenged a Christmas creche and a Hanukkah menorah displayed at the Allegheny County Courthouse in Pittsburgh, Pennsylvania. In *Allegheny County v. ACLU* (1989) the Supreme Court ruled that while not all religious celebrations on government property violated the First Amendment, anything that clearly expressed official endorsement was unconstitutional. The nativity scene inside the courthouse, with a banner reading “Gloria in Excelsis Deo” (“Glory to God in the Highest”) failed the constitutional test, but the menorah erected outside the building to “celebrate the season” was allowed to remain.