

The History of the First Amendment

A Look at the Ever-Evolving Right to a Free Press in America



1734

Publisher Peter Zenger faced one of the first libel cases in the United States for publishing articles critical of the royal governor. He was found not guilty by a jury and acquitted of all charges.



February 13, 1804

People v. Croswell libel case in New York leads the state to change the law so truth is a defense against libel charges.



December 15, 1791

The Bill of Rights is adopted, with the First Amendment granting freedom of speech, press, assembly, religion and petition.



June 12, 1776

The Virginia Declaration of Rights was adopted. Among the protections granted was freedom of the press.



1917 - 1918

The Espionage Act of 1917 and Sedition Act of 1918 restrict the freedom of the press during wartime and prohibit "disloyal" content about the government.



1921

Congress repeals the Espionage and Sedition Acts, restoring the free press.



June 1, 1931

Near v. Minnesota determines that state laws allowing prior restraint are unconstitutional.



June 8, 1969

It is decided in *Brandenburg v. Ohio* that the government cannot punish inflammatory speech unless it poses an imminent threat.



March 9, 1964

New York Times Co. v. Sullivan establishes that publishers can only be held liable for libel if the remarks were made with blatant disregard for the truth.



March 28, 1938

In *Lovell v. City of Griffin* it is decided that publications do not need permission to be distributed within city limits, regardless of content.



June 30, 1971

New York Times Co. v. United States finds that a claimed threat to national security is not reason enough for prior restraint of publication of classified documents (in this case, the Pentagon Papers).



January 13, 1988

The Supreme Court upholds that school-sponsored student publications can be censored by administrators in *Hazelwood School District et al. v. Kuhlmeier et al.*



February 24, 1988

In an 8-0 decision in *Hustler v. Falwell*, the Justices determine that public figures cannot sue for damages for emotional distress.



January 17, 2014

The U.S. drops to 45th place on the Reporters Without Borders World Press Freedom Index, falling 25 spots since 2010.



2018

In *Obsidian Finance Group, LLC v. Cox*, the Supreme Court determines that bloggers have the same rights as other members of the press.