

evening, when it is almost always dark, until one hour after the conclusion of the church's service. Violations of the sign code involve punishment that could even include jail time. Once cited by the town of Gilbert for exceeding the time limit for displaying their signs, Pastor Reed filed suit in a federal district court after being unable to reach an accord with the town.

Mary Beth Tinker was born in 1952 and grew up in Des Moines, Iowa, the daughter of a Methodist minister. In 1965, Mary Beth was a thirteen-year-old student at Warren Harding Junior High School. As the United States began to escalate its war effort in Vietnam, the young student was affected by the war news. She met at the home of a sixteen-year-old student, Christopher Eckhardt, in December of 1965 with a group of students. The students wanted to express their support for a Christmas truce called for by then New York Senator Robert F. Kennedy. They decided to wear black armbands throughout the holiday season and to fast on December 16 and December 31 as a war protest. Learning of the students' intentions, the Des Moines School District principals adopted a policy that would result in the suspension of any student who refused a request to remove such an armband. On December 16 and December 17, 1965, Mary Beth Tinker was one of two dozen elementary, middle, and high school students who wore the armbands to school. Mary Beth, however, was one of the five students singled out for suspension after she declined to remove her armband. After being suspended, Tinker was subjected to threats from the public. Red paint was thrown on her house and one female caller said: "I'm going to kill you!" Tinker and the other students turned to the federal courts to uphold their rights.

As You READ

- Why was the incorporation of the Bill of Rights by the Supreme Court important?
- What are the First Amendment rights?
- What are some of the other important civil liberties guaranteed by the Constitution?

Despite their great difference in age when they became champions of civil liberties, and despite the fact that their cases are separated in time by nearly fifty years, Clyde Reed and Mary Beth Tinker have more in common than you might think. Both were aided in their lawsuits by powerful organizations. Reed was supported by the Alliance Defending Freedom. The ADF is a group that helps to support litigants in freedom of religion cases. The ADF enjoyed a victory in the 2014 Hobby Lobby suit in which the company's owners argued that being forced to supply contraception for their employees under the federal Affordable Care Act infringed upon their religious beliefs. After hearing the case, however, the Supreme Court viewed Reed's case as a free speech case rather than a free exercise of religion matter.² Tinker was aided in her lawsuit by the American Civil Liberties Union, a group that has supplied legal resources to litigants pursuing various civil liberties issues. Although individuals like Reed and Tinker can champion rights, they still need the expertise of specialists to prevail in court and prevail is exactly what both Reed and Tinker did. They both won their claims that they had been deprived of their rights with respect to their constitutional guarantee of free speech.

The U.S. Supreme Court decided Reed's case in 2015. The justices noted the town's explanation for the law regarding the display of outdoor signs. The local ordinance was intended to promote road safety and the beautification of the community but the Court was concerned that the ordinance had different requirements for different types of signs. "Ideological Signs" defined as signs "communicating a message or ideas" could be up to 20 square feet and had no time or placement restrictions. "Political Signs" defined as signs "designed to influence the outcome of an election" could be up to 16 square feet on residential property and up to 32 square feet on nonresidential property. They could be displayed from 60 days before a primary election until 15 days following a general election. The type of signs displayed by Pastor Reed, however, was defined as "Temporary Directional Signs." Such signs directing the public to a church or any other "qualifying event" could be no larger than 6 square feet, were