

The *Chike Uzuegbunam* Case

Case Name: *Uzuegbunam v. Preczewski*

Significance: Whether government officials should be held accountable for violating someone’s constitutional rights.

Case Status: On March 8, 2021, the U.S. Supreme Court ruled in an 8–1 decision that government officials can be held accountable if they violate constitutional rights.



Background: In 2016, Georgia Gwinnett College officials stopped Chike Uzuegbunam (“CHEE’-kay Oo-zah-BUN’-um”) not once, but twice, from sharing his Christian faith with fellow students in public, outdoor areas on his college campus. First, officials said to continue his conversations about his faith, he had to get advance permission to use one of two tiny speech zones that made up far less than 1% of the campus—the equivalent of a piece of paper on a football field—and were only open 10% of the week. Chike did what they asked. He reserved a time and went to the speech zone to speak about his faith. But this time, within minutes, two campus police officers approached Chike and demanded his ID card, which they took back to their patrol car while he waited in full view of other students. When they returned, the officers ordered him to stop and threatened him with discipline if he continued to speak about his faith. As a result, Chike was unable to speak about his faith anywhere on campus. Without a permit, he was banned from speaking in the over 99.99% of campus outside the speech zones. Even *with* a reservation in the zones, his speech was subject to the whims of government officials—a policy that is incompatible with the First Amendment. Another student, Joseph Bradford, self-censored after hearing how officials mistreated Chike.

ADF challenged the college’s unconstitutional policies in court. In response, Georgia Gwinnett argued that Chike’s speech sharing his religious beliefs should receive no constitutional protection. Then the college changed its speech policy and claimed it should be able to avoid any penalty for violating Chike’s free speech rights. After waiting a year to rule, until after Chike graduated, the court said that because the college changed its policy and because Chike graduated, he could not get any relief. The U.S. Court of Appeals for the 11th Circuit agreed. On March 8, 2021, the U.S. Supreme Court reversed and remanded the 11th Circuit decision, saying that nominal damages can redress the injury done to Chike, which reaffirms that government officials can be held accountable for violating the Constitution.

Key Points

- Chike’s win resolves a bigger threat. Courts should hold government officials accountable for violating someone’s constitutional rights. The 8–1 decision holds that nominal damages remedy past harm, reaffirming that constitutional rights are priceless and that officials can be held accountable for violating them.
- College officials told Chike where and when he could speak. He followed their directions, but they still shut down his speech and campus police threatened him because they didn’t like his message.
- Universities are supposed to be places where future leaders are free to explore and debate ideas. But students aren’t free to inquire and learn when college officials censor speech they don’t like.

The Bottom Line: Courts should hold government officials accountable when they violate someone’s First Amendment rights. The government is supposed to protect freedom, not take it away.