

## CONTROLLING LEGAL PRINCIPLES

### *Free Exercise Clause Decision – The “Contemplation of Justice”*

*Watson v. Jones, 80 U.S. 13 Wall. 679 679 (1871)*



*In this country, the full and free right to entertain any religious belief, to practice any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property and which does not infringe personal rights is conceded to all. **The law knows no heresy, and is committed to the support of no dogma, the establishment of no sect.** The right to organize voluntary religious associations to assist in the expression and dissemination of*

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*any religious doctrine, and to create tribunals for the decision of controverted questions of faith within the association and for the ecclesiastical government of all the individual members, congregations, and officers within the general association, is unquestioned.* All who unite themselves to such a body do so with an implied consent to this government, and are bound to submit to it. But it would be a vain consent and would lead to the total subversion of such religious bodies if anyone aggrieved by one of their decisions could appeal to the secular courts and have them reversed. It is of the essence of these religious unions, and of their right to establish tribunals for the decision of questions arising among themselves, that those decisions should be binding in all cases of ecclesiastical cognizance, subject only to such appeals as the organism itself provides for. Hence, an unexecuted order of this kind, made by a state court to restore possession to the parties who had been deprived of it by a decree which had been reversed, cannot be interfered with by another court by way of injunction, especially by a court of the United States, by reason of the Act of Congress of March 2, 1793, 1 Stat. at Large 334, § 5.

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Controversies in the civil courts concerning property rights of religious societies are generally to be decided by a reference to one or more of three propositions:

(1st) Was the property or fund which is in question devoted by the express terms of the gift, grant, or sale by which it was acquired to the support of any specific religious doctrine or belief, or was it acquired for the general use of the society for religious purposes, with no other limitation?

(2d) Is the society which owned it of the strictly congregational or independent form of church government, owing no submission to any organization outside the congregation?

(3d) Or is it one of it number of such societies, united to form a more general body of churches, with ecclesiastical control in the general association over the members and societies of which it is composed?

*Thoughts, Words and Actions for Plaintiff’s Quintessential Rights of the First Amendment:  
Truths that manifest Life, Liberty & Pursuit of Happiness pursuant to the Free Exercise Clause*