

## CONTROLLING LEGAL PRINCIPLES

*Free Exercise Clause Decision – The “Contemplation of Justice”*  
*Ashcroft v. American Civil Liberties Union, 535 U.S. 564 (2002)*



*If a law restricts substantially more speech than is justified, it may be subject to a facial challenge.* *Broadrick v. Oklahoma, 413 U. S. 601, 615 (1973).*

"The Internet ... offer[s] a forum for a true diversity of political discourse, unique opportunities for cultural development, and myriad avenues for intellectual activity." 47 U. S. C. § 230(a)(3) (1994 ed., Supp. V). While "surfing" the World Wide Web, the primary method of remote information retrieval on the Internet today,<sup>1</sup> see App. in No. 99-1324 (CA3), p. 180 (hereinafter App.), individuals can access material about topics ranging from aardvarks to Zoroastrianism. One can use the Web to read thousands of newspapers published around the globe, purchase tickets for a matinee at the neighborhood movie theater, or follow the progress of any Major League Baseball team on a pitch-by-pitch basis.

The First Amendment states that "Congress shall make no law ... abridging the freedom of speech." This provision embodies "[o]ur profound national commitment to the free exchange of ideas." *Harte-Hanks Communications, Inc. v. Connaughton, 491 U. S. 657, 686 (1989)*. "[A]s a general matter, 'the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.'" *Bolger v. Youngs Drug Products Corp., 463 U. S. 60, 65 (1983)* (quoting *Police Dept. of Chicago v. Mosley, 408 U. S. 92, 95 (1972)*). **However, this principle, like other First Amendment principles, is not absolute.** *Cf. Hustler Magazine, Inc. v. Falwell, 485 U. S. 46, 56 (1988)*.

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*