

## CONTROLLING LEGAL PRINCIPLES

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

*Thomas v. Collins, 323 U.S. 516 (1945)*



As applied in this case, the statute imposed a previous restraint upon appellant's rights of free speech and free assembly, in violation of the First and Fourteenth Amendments of the Federal Constitution. P. 323 U. S. 532.

A requirement that one register before making a public speech to enlist support for a lawful movement is incompatible with the guaranties of the First Amendment. P. 323 U. S. 540.

Restriction of the liberties guaranteed by the First Amendment can be justified only by clear and present danger to the public welfare. P. 323 U. S. 530.

The rational connection between the remedy provided and the evil to be curbed, which in other contexts might support legislation against attack on due process grounds, will not, in itself, suffice

Page 323 U. S. 517

to sustain a restriction of the liberties guaranteed by the First Amendment.

P. 323 U. S. 530.

Freedom of speech and of the press, and the rights the people peaceably to assemble and to petition for redress of grievances, are cognate rights. P. 323 U. S. 530.

The First Amendment's safeguards are not inapplicable to business or economic activity. P. 323 U. S. 531.