

CONTROLLING LEGAL PRINCIPLES

Free Exercise Clause Decision – The “Contemplation of Justice” *Valley Forge Coll. v. Americans United, 454 U.S. 464 (1982)*



Held: Respondents do not have standing, either in their capacity as taxpayers or as citizens, to **challenge the conveyance in question.** Pp. 454 U. S. 471-490.

(a) The exercise of judicial power under Art. III is restricted to litigants who can show "injury in fact" resulting from the action that they seek to have the court adjudicate. Pp. 454 U. S. 471-476.

Article III of the Constitution limits the "judicial power" of the United States to the resolution of "cases" and "controversies." The power to declare the rights of individuals and to measure the authority of governments, this Court said 90 years ago, **"is legitimate only in the last resort, and as a necessity in the determination of real, earnest and vital controversy."** *Chicago & Grand Trunk R. Co. v. Wellman*, 143 U. S. 339, 143 U. S. 345 (1892). Otherwise, the power "is not judicial . . . in the sense in which judicial power is granted by the Constitution to the courts of the United States." *United States v. Ferreira*, 13 How. 40, 54 U. S. 48 (1852).